

As was to be expected, the British upon the opening of hostilities sent vessels to blockade American ports. Since it was impossible to trade safely with any nation so long as English vessels were lurking outside the harbors, some of the people decided the only thing to do was to trade with the British. It became apparent that this trade which was supplying the British forces in this hemisphere was being enjoyed primarily by the New England States which were hostile to the war; other ports, such as Baltimore and Philadelphia, were subjected to such a rigorous blockade that any trade was impossible.

The situation led to the introduction of a bill to lay an embargo upon all commerce. The bill passed both Houses after some debate and was signed by Madison, December 17, 1813. A similar bill had been introduced in the House during the preceding session, but had failed of passage in the Senate. A discussion of the earlier bill and of the bill which became law during the second session will be found in the Annals, Thirteenth Congress, First and Second Sessions, 1813-14.

This was the last of the embargo acts. Probably had the bill not been enacted when it was, there would have been no embargo laid. Since the act in no way inflicted a hardship upon Britain so far as her commerce was concerned and since it met with almost immediate demands for repeal by our citizens, the act was short-lived, being repealed in April of the following year. Then, too, the news of Napoleon's defeat reached the United States about 3 weeks following the passage of the act; this news simply meant that all of Europe was open to Britain's commerce and the act would be of little benefit to us while at the time bolstering the British blockade of our ports.

The history of the various embargo acts is very complex if one is to consider the conditions which promoted their adoption and repeal. Probably as good a picture of the period as any is contained in the work by McMaster entitled "History of the People of the United States." While the work consists of six volumes, volume 3 and volume 4 are concerned with this period.

Mr. CLARK of Missouri. Mr. President, I also have had prepared a little summary of the history of embargoes. I ask unanimous consent that I may be permitted to insert it in the RECORD at a later date.

Mr. McKELLAR. That is entirely satisfactory. Two histories of embargoes will be better than one, of course.

Mr. CLARK of Missouri. I am certain that that is true, because I think mine will be more correct. [Laughter.]

Mr. McKELLAR. The Librarian of the Senate is a very accurate and painstaking gentleman. I have great confidence in what he has furnished me, and if it is wrong, the fact can be easily ascertained.

The PRESIDING OFFICER. Without objection, the request of the Senator from Missouri is granted.

#### RECESS

Mr. BARKLEY. I move that the Senate take a recess until 11 o'clock a. m. on Monday next.

The motion was agreed to; and (at 5 o'clock and 5 minutes p. m.) the Senate took a recess until Monday, October 23, 1939, at 11 o'clock a. m.

## SENATE

MONDAY, OCTOBER 23, 1939

(Legislative day of Wednesday, October 4, 1939)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Zebarny T. Phillips, D. D., offered the following prayer:

Gracious Father, who art worthy of a love greater than we can either give or understand, pour into our hearts such love toward Thee that we may find in Thee, our refuge and our strength, a very present help in time of trouble. Shed upon our spirits the freshness of the dawn, touch our lips with something of the prophet's fiery splendor as we speak truth with awed lips and feel a confidence of which we had not dreamed. Teach us that it is not sufficient that we do brave deeds and steel our hearts against corrupting fear, but do Thou strengthen us to bear the burdens of the world and to share alike the agonies and consolations that embitter and allay the sorrows of this present hour; and though we be so sorely tasked, yet do Thou keep our lives pure, free from all dust and soil, and without the shadow of a stain. And as we labor on through changing light from midday unto moon-rise, may the meaning of the cross be ever clearer—God

revealing Himself, not in splendor but in thorn-crowned pain, for in all our afflictions He was and is afflicted. We ask it in the Saviour's name. Amen.

#### THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Saturday, October 21, 1939, was dispensed with, and the Journal was approved.

#### CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Danaher	Johnson, Colo.	Reynolds
Andrews	Davis	King	Russell
Austin	Donahay	La Follette	Schwartz
Bailey	Downey	Lee	Schwellenbach
Bankhead	Ellender	Lucas	Sheppard
Barbour	Frazier	Lundeen	Shipstead
Barkley	George	McCarran	Slattery
Bilbo	Gerry	McKellar	Smith
Borah	Gibson	McNary	Stewart
Bridges	Gillette	Maloney	Taft
Brown	Green	Mead	Thomas, Okla.
Bulow	Guffey	Miller	Thomas, Utah
Burke	Gurney	Minton	Tobey
Byrd	Hale	Murray	Townsend
Byrnes	Harrison	Neely	Tydings
Capper	Hatch	Norris	Vandenberg
Caraway	Hayden	Nye	Van Nuys
Chandler	Herring	O'Mahoney	Wagner
Chavez	Hill	Overton	Walsh
Clark, Idaho	Holt	Pepper	White
Clark, Mo.	Hughes	Pittman	Wiley
Connally	Johnson, Calif.	Radcliffe	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are detained from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from New Jersey [Mr. SMATHERS], the Senator from Missouri [Mr. TRUMAN], and the Senator from Montana [Mr. WHEELER] are unavoidably detained.

Mr. AUSTIN. I announce that the Senator from Massachusetts [Mr. LODGE] is absent on official business.

The VICE PRESIDENT. Eighty-seven Senators have answered to their names. A quorum is present.

#### DISPOSITION OF EXECUTIVE PAPERS

The VICE PRESIDENT laid before the Senate letters from the Archivist of the United States, transmitting, pursuant to law, lists of papers and documents on the files of the Departments of the Treasury and the Navy, and the W. P. A., which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition, which, with the accompanying papers, were referred to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. GIBSON members of the committee on the part of the Senate.

#### PETITION

Mr. HOLT presented a resolution adopted by the Council of the City of Wheeling, W. Va., favoring the preservation of American neutrality, and protesting against repeal of the embargo on the shipment of arms and munitions to belligerent nations, which was ordered to lie on the table.

#### NEUTRALITY AND PEACE OF THE UNITED STATES—AMENDMENT

Mr. BROWN. Mr. President, I ask unanimous consent that my substitute for the Pittman amendment to subsection (F), on page 17, which is on the clerk's desk, be printed, and also printed in the RECORD at this place, for consideration at the time the Pittman amendment is considered.

I should like to state very briefly that this amendment relates to the prohibition which we feel interferes with the normal trade on the Canadian and Mexican borders. The amendment would permit American citizens who sell to citizens on the Canadian side of the border, and on the Mexican side of the border also, to retain title to their goods until paid for.

The purpose of subsection (c) of section 2 of the measure, which requires that all title in an American seller should be divested before the goods cross the line, was to prevent any possible involvement of this country in war on the theory that those goods might be destroyed. Of course there is no opportunity for anyone to destroy goods crossing the Canadian border.

I may say that if this amendment is adopted, the amendment proposed by the Senator from Iowa [Mr. GILLETTE] and the Senator from Nebraska [Mr. BURKE] will be unnecessary. It provides briefly that American citizens may retain title or lien upon goods that are shipped across the border. I have consulted with several Senators representing border States before presenting this proposal.

There being no objection, the amendment was ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. BROWN, in the nature of a substitute, to the amendment intended to be proposed by Mr. PITTMAN, on page 18, beginning in line 1, of the committee amendment to the joint resolution (H. J. Res. 306) Neutrality Act of 1939, viz:

In lieu of the language proposed to be inserted by Mr. PITTMAN, insert the following:

"(1) To such transportation of any articles or materials other than articles listed in a proclamation issued under the authority of section 12 (1), or (2) to any other transportation on or over lands bordering on the United States of any articles or materials other than articles listed in a proclamation issued under the authority of section 12 (1)."

#### ADDRESS BY SENATOR BORAH ON NEUTRALITY LEGISLATION

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD a radio address delivered by Senator BORAH on October 22, 1939, on the subject of pending neutrality legislation, which appears in the Appendix.]

#### JOINT RADIO DISCUSSION ON NEUTRALITY BY CERTAIN SENATORS

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a discussion before the American Forum of the Air between Senator PEPPER and Senator McNARY, and a panel consisting of Senator BURKE, Senator FRAZIER, Senator HOLT, and Senator THOMAS of Utah, on the subject of neutrality, which appears in the Appendix.]

#### ADDRESS BY ARCHIBALD MACLEISH AT PITTSBURGH, PA.

[Mr. TOBEY asked and obtained leave to have printed in the RECORD an address delivered by Archibald MacLeish, Librarian of Congress, at Carnegie Institute, Pittsburgh, Pa., October 19, 1939, on the subject of libraries in the contemporary crisis, which appears in the Appendix.]

#### ARTICLE BY WILLIAM ALLEN WHITE ON OUR MIDDLE-CLASS STATESMAN

[Mr. BROWN asked and obtained leave to have printed in the RECORD an article published in the New York Herald Tribune Book Review of Sunday, October 22, 1939, entitled "Our Middle-Class Statesman," which appears in the Appendix.]

#### POLL ON NEUTRALITY BY WHEELING INTELLIGENCER

[Mr. HOLT asked and obtained leave to have printed in the RECORD a poll taken by the Wheeling Intelligencer on the subject of neutrality, which appears in the Appendix.]

#### EDITORIAL BY PETER MOLYNEAUX ON NEUTRALITY

[Mr. CONNALLY asked and obtained leave to have printed in the RECORD an editorial by Peter Molyneux on the subject of neutrality, printed in the Texas Weekly of Saturday, October 14, 1939, which appears in the Appendix.]

#### ADDRESS BY SENATOR LEE ON DRAFTING OF MONEY IN TIME OF WAR

[Mr. MINTON asked and obtained leave to have printed in the Appendix a radio address delivered by Senator LEE on October 22, 1939, on the subject, Should the Government Draft Money as Well as Men in Case of War? which appears in the Appendix.]

#### ADDRESS BY SENATOR M'CARRAN BEFORE AMERICAN FEDERATION OF LABOR

[Mr. DOWNEY asked and obtained leave to have printed in the RECORD an address delivered by Senator M'CARRAN on

October 11, 1939, before the annual national convention of the American Federation of Labor at Cincinnati, Ohio, which appears in the Appendix.]

#### SIGNS OF PROSPERITY

Mr. WILEY obtained the floor.

Mr. McKELLAR. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Tennessee?

Mr. WILEY. I yield.

Mr. McKELLAR. Mr. President, if the Senator will yield to me for a moment or two I should like to put into the RECORD some evidences of returning good times. As we all know, the Washington Star carries a financial page every Sunday. While there are items on that page of yesterday's Sunday Star under headlines such as "Scrap concerns face profitless prosperity," "Exchange volume sags further in week," and "Spiegel, Inc., reports drop in earnings," those are comparatively small items; yet in the headlines of that newspaper, in column 1, I read "District of Columbia bank loans and discounts show gains"; in columns 2 and 3, "Metropolitan building reaches new peaks in 9 months despite September lag"; in column 4, "Cleveland Cliffs net reaches \$1,505,505 in third quarter, profit contrasts with \$329,820 recorded in 1938 months"; in column 5, at the top of the page, "Factories work at top speed during week"; in column 6, "Furniture sales up 18 percent from levels years ago"; column 7, "Large rail orders spur equipment industry"; and, in column 10, "Selected stocks rise fractions to \$2 or more."

Then, in other columns, "General Cigar Company," "U. S. Hoffman Machinery," "Thompson Products," "Wickwire-Spencer," "Alleghany Ludlum," and "Bendix Aviation," all show an increase of business and earnings.

On the same page, the front page, I read the following headlines:

Virginia Public Service securities authorized.  
Lead shipments rise sharply in month.  
Foreign purchases keep copper market busy.  
Arlington leads upturn in State realty sales.  
North American aviation profits up sharply.

In addition to that, on the first page of the Commercial Appeal of Memphis of last Friday morning is an article, the headlines of which read as follows:

"Golden days" return as business upswing finds sellers short. Production is below demand for the first time since the twenties. Memphians are pleased. Merchants in all lines say trade is on upgrade. Hard to get deliveries.

Mr. President, I ask, as a part of my remarks, that this article be inserted in the RECORD.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The article is as follows:

"GOLDEN DAYS" RETURN AS BUSINESS UPSWING FINDS SELLERS "SHORT"—PRODUCTION IS BELOW DEMAND FOR THE FIRST TIME SINCE THE TWENTIES—MEMPHIANS ARE PLEASED—MERCHANTS IN ALL LINES SAY TRADE IS ON UPGRADE—HARD TO GET DELIVERIES—IT'S NOT "HOW MUCH" BUT "HOW LITTLE CAN YOU GET BY ON," MANUFACTURERS INQUIRE—"BOOM" NOT CAUSED BY WAR

(By John Hutchison)

Memphis is experiencing a sellers' market for the first time in a long time.

Remember back in the early twenties when you had to order a new car 3 months before it was delivered? Business has once more begun a trend toward those golden days. Whether it will be sustained, no one can say, but men in a variety of businesses ranging from walking plows to diamonds agreed yesterday that business is better.

#### SELLERS CAUGHT SHORT

A sellers' market is one in which the seller has the upper hand—in which the buyers, including jobbers, wholesalers, and retailers, have difficulty in getting as much of a product as they want or as soon as they want it.

"We have had considerable trouble in getting delivery in cottons, clothing, and shoes," a wholesale dry-goods executive said. "Manufacturers weren't making surplus stocks, and when the business upturn came, they were caught short. Some plants supplying us are working 24-hour shifts. Our customers were somewhat excited early in September, but they are buying more conservatively now."

A Memphis cosmetics-producing firm is working overtime in the shipping department to supply a business that has been gaining steadily for months.



## DELIVERIES DIFFICULT

A dealer in farm machinery and tractors said he could not supply deliveries in desired quantities because production is behind demand.

A wholesale hardware executive called attention to heavy future orders, and to difficulty in getting delivery by the manufacturer on building materials, certain tools, and steels. Some producers of hardware will take orders for no delivery before December 15, while the jobbers want delivery earlier to protect themselves from anticipated shortages.

Lumber sales are up 100 percent better than they were under normal production. Production itself is short, since hardwood dealers were caught with short stocks. Buyers are clamoring for hardwood. Hikes in pay and cut in hours under the wage-hour law, which particularly affects the lumber industry, will send lumber prices higher soon.

## NOT A WAR BOOM

"The public is in an optimistic frame of mind," said a jewelry man yesterday. "They are more inclined to spend. If we demanded immediate shipment on large consignments of some sizes of diamonds, or on Swiss watches, we would be told that delivery would be delayed."

To a man, the executives interviewed denied that the upturn is dependent entirely on the European war. Business was accelerating before the war broke out, and would be showing some improvement if there were no war, they said, although they credited the conflict with spurring sales a great deal.

Meanwhile Memphis is experiencing, one official said, an atmosphere in which the manufacturer's response to an order is not "How many can you take?" but "How few can you get along with?"

Mr. McKELLAR. One other article which I desire to insert in the RECORD is from the Washington Post of October 23. It is headed, "Best October business in 10 years, Babson says."

I ask also that that article be printed in the RECORD.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The article is as follows:

[From the Washington Post of October 23, 1939]

**BEST OCTOBER BUSINESS IN 10 YEARS, BABSON SAYS—PRESENT STATUS IS 22 PERCENT ABOVE LAST OCTOBER AND ONLY 2 PERCENT BELOW PEAK REACHED IN 1937**

(By Roger W. Babson)

BABSON PARK, MASS., October 22.—Business this month is the best for any October in 10 years. The United States has experienced one of the most sensational boomlets in its history in the last 2 months. Figures gathered from all over the country, which I found on my desk on my return from the Far East, tell a spectacular story. Business is now 22 percent above a year ago and within 2 percent of the 1937 peak:

I can hardly believe that business has soared so rapidly. Yet, the figures which I have at hand do not lie. They show that textile mills, automobile factories, machine tool shops, steel mills, railroads, power plants, lumber camps, and shipyards are bristling with activity. When I sailed out of the Golden Gate on August 25 the temperature of business was 97 percent, according to my Babsonchart. Today it is 112 percent, compared with the 1937 high of 114 percent and the 1929 all-time peak of 122 percent.

## FREIGHT GAINS SPECTACULAR

Here are the facts concerning the Nation's leading industries:

(1) Textiles: Cotton mills have boosted schedules 15 percent in the past 8 weeks. Woolen factories are operating day and night. The rayon industry has shot ahead. The textile industry as a whole, while not the most active of the Nation's monster businesses, is flirting with its 1937 highs.

(2) Railroads: A spectacular increase has taken place in railroad traffic. Weekly freight car loadings have jumped to 835,000 from 680,000 in the Labor Day week. With the exception of 1 or 2 weeks in 1937, railroad traffic is the highest since the lush days of a decade ago. This tremendous increase in the transportation of goods simply means that there has been a huge gain in the amount of business being transacted.

(3) Automobiles: This is normally the season when automobile assembly lines speed up, so the rise in weekly motor output from 12,000 cars before Labor Day to around 90,000 at present breaks no records. New-car sales are reported to be exceptionally good and motor makers are boosting their production schedules faster than is customary.

(4) Building: Latest figures on home building show a splendid gain over the faltering figures of the late summer and a 30-percent step-up over a year ago. Moreover, the building upswing has injected new life into the lumber camps, where orders are running far ahead of both the "cut" and shipments.

## SHARPEST STEEL RISE IN HISTORY

(5) Steel: Activity in this industry is accurately measured by the weekly rate of operations. The sharpest rise in steel operations in history has taken place since August. Starting at around 60 percent of capacity in the Labor Day week, they have skyrocketed to around 90 percent—an increase of 30 points in less than 2 months. Reports indicate that thousands of workers have returned to their jobs in the steel towns.

(6) Coal: for 2 years the soft-coal industry has been "in the dog house." Ever since the 1937 boom backfired, the coal mines have been limping along at about 60 percent of normal. Within 6 short weeks daily coal output has caromed up 25 percent. The recent report stating that the first barge load of coal sent to Europe in 12 years has just left the United States provides a clue as to the war's effect on this industry.

(7) Mining: Copper sales in September were the highest on record. Metal prices have been marked up 25 to 30 percent. Operations at the copper, zinc, lead, iron, and other mines are marching toward the 1937 levels. Meanwhile activity in the petroleum industry as a whole is at an all-time high.

(8) Utilities: The measure of activity in the electric industry is the weekly power-consumption figure reported in the newspapers. Readers who follow this total know that more electric power is being used today than at any time in the history of the country. In almost every week since Labor Day consumption of electricity has set a new all-time peak.

(9) Machine tools: The machinery and machine-tool industry is small compared with such giants as building, railroads, and steel. Nevertheless, it is a vital barometer of activity in the labyrinth of industries such as cutlery, business machines, aviation, radio, hardware, railroad equipment, and the like. Hence, it is very encouraging to learn that machine-tool orders in recent weeks have smashed all previous records.

## OPINION DIVIDED ON TREND

This is the most bullish report on American business that I have been able to write for 2 years. There is no forecasting in what I have said above. All statements are facts concerning what has happened. Whether or not activity can continue at the present pace is another question and one which is too difficult to answer right now. Some observers believe that this boom was touched off by the war and will fold up like an accordion if hostilities are suddenly halted. Others insist that the tremendous step-up in industrial activity was already under way this summer and would have taken place, though less rapidly, war or no war.

I have not had time yet to study the situation and take any position on this question. Perhaps the answer is a middle ground—somewhere between the above two views. However, unless retailers boost their merchandising efforts and keep their cash registers clanging, the industrial boom will peter out. In order to maintain our current pace raw materials and goods which have been purchased in anticipation of higher prices must move along to the customer so that new orders can be placed with manufacturers and raw-material suppliers. A few weeks should tell the story.

Mr. McKELLAR. I thank the Senator from Wisconsin very much for yielding to me.

## NEUTRALITY AND PEACE OF THE UNITED STATES

The Senate resumed the consideration of the joint resolution (H. J. Res. 306), Neutrality Act of 1939.

Mr. TOBEY. Mr. President—

Mr. WILEY. I yield to the Senator from New Hampshire.

Mr. TOBEY. I offer an amendment to the pending joint resolution which I ask to have lie on the table and to be printed, and also printed in the RECORD. At the appropriate time I shall move its adoption, and make some comments thereon.

The VICE PRESIDENT. The amendment will be printed and lie on the table, and also, without objection, will be printed in the RECORD.

Mr. TOBEY's amendment is as follows:

Amendment intended to be proposed by Mr. TOBEY to the joint resolution (H. J. Res. 306), Neutrality Act of 1939, viz:

At the end of the joint resolution add the following new section:

"Sec. 20. (a) It shall be unlawful for any foreign vessel at any time to use the flag of the United States thereon, or to use any distinctive signs or markings, in order to make it appear that such vessel is an American vessel, regardless of whether such use is for the purpose of escaping capture by an enemy vessel or for any other purpose.

"(b) Any vessel which violates the provisions of this section shall be forfeited to the United States, together with the equipment and cargo of such vessel; and the master of any such vessel shall be fined not more than \$20,000 or imprisoned not more than 2 years, or both.

"(c) The Secretary of State is hereby authorized and directed to notify all foreign states of the provisions of this section."

Mr. WILEY. Mr. President, I heard one Senator ask another not long ago, "Do you think it would have been better if the President had not convened the Congress in special session to debate this issue?" The second Senator said "Yes." I asked, "Why?" The answer given was substantially as follows: "You know why. Look at the mental state the country is in. Look at the contentions which are made by the partisans in this debate. Each side claims that if it does not succeed this country may get into war. Look at the

letters as they come in, showing that many of the people do not fully understand the issues which are involved. Millions of them apparently think Congress is voting on war or peace. Millions have had their blood pressure built up to almost a bursting point under the impression that this is one of the great momentous occasions in history. When the affair is over, millions of people on the losing side will be of the opinion that Congress has sold out America." "Don't you think," this Senator continued, "it would have been better not to have had all these fireworks, all this blowing off of steam, all this fear, agitation, and hysteria?"

He presented this argument with such force that I was prone to answer in the affirmative, but I hesitated, and then said "No." When the debate is closed and the people settle down to a contemplation of these "feverish weeks," they will realize, first, that there was no need for them to get unduly agitated. Secondly, they will realize that many of them have been victims of propaganda, misinformation, and illogical thinking. Thirdly, they will be prepared if and when a real occasion arises to think more clearly and act more rationally. Fourth, they will realize that they have had an experience similar to many of the experiences that some of the people in Europe went through time and time again before they finally surrendered their liberties to a ruling group.

I believe this experience will bring to the consciousness of the people the realization that this Nation is made up of individuals, and as these individuals think and act so will the Nation. Fifth, I believe also that out of this experience the people will realize the need of unity. They will see that there are forces which would split them asunder. They will realize that by centering their thought and energy upon America and America's needs, and thinking less about other countries, they will find here that which will bring about national unification for the great purpose and object of peace.

The people are realizing more and more that this war in Europe is not our war, and they are beginning to feel, in spite of excited radio expounders, that no American war is even remotely in sight.

Thus, I answered the question of the Senator.

Mr. President, during the course of this debate I have been privileged to listen to many brilliant, analytical, and enlightening discussions. They have directed public opinion along healthy and constructive channels. There has been present at times a spirit of wisdom and understanding. It must be admitted, however, that during these feverish days of debate our discussion has often strayed far from the immediate issue. That straying might be condoned, Mr. President, if it accomplished some constructive purpose.

Unfortunately, that has not always been the case. In a crucial time, such as this, when it is absolutely imperative that America be kept calm—and I say that with a conviction so deep that nothing can disturb it—here in Washington we have been guilty of fanning the fires of old hatreds, stirring the emotional embers of foreign quarrels that have been smoldering for generations.

That is a serious indictment, but we have only to glance through recent issues of the CONGRESSIONAL RECORD to see how this august body has in several instances pawed through the blackest chapters in history to drag the darkest pages into a debate that should be an unemotional appraisal of what is best for America, not what has been worst in any land. Yes; we have here—here where mental balance is taken for granted—even had aggressive warfare suggested as a part for us to play.

Mr. President, I digress here, because there comes to me, not from the page of my manuscript, a little example of Wisconsin wisdom, homely but dynamic:

Baloney never made a statesman. It did make a Barnum.

Mr. President, I do not intend to take the time to discuss at length the great racial contributions that have been made by all races in the last few centuries of our long climb upward from the rock bottoms of history's fog-lit caves. I take it for granted that we are familiar with these contributions; that in these chaotic days of tottering civilizations we read and reread the story of man's monumental achievements.

In so doing we shall not lose hope in the sad realization that man still clings to a war barbarism only a step removed from the days when men "drank blood from the scraped skulls of their victims."

Mr. President, we have at some points in this debate been guilty of a similar orgy, even here on the Senate floor. We have raked up the ashes of many a smoldering sacrificial offering to war. From the muck of history we have infiltrated old hatreds into the American consciousness.

#### RACIAL CONTRIBUTIONS

So, Mr. President, it is probably fitting that we should take a moment to step out of the shambles of English, French, and German hatreds and consider some of the great racial contributions that transcend all hatreds—great achievements that are deathless—great humanitarians who are immortal—great paintings and great songs that know no race—great books that are written in the language of all mankind.

In considering these contributions we may be able to dissipate the red haze of history-inspired racial hatreds. When we stop fighting for or against any country we can sanely return to the issue which confronts this Senate. That issue is not what is best for England, not what is best for France, not what is best for Germany, but solely and only what is best for America.

Now, let us return to the matter of hatreds. If there is no hatred in the hearts of the American people, we will never get into war. If we can outlaw hatred, we can forever outlaw any American war except a war of defense. So let us pause very briefly to consider the historic racial achievements which should be recalled here just as faithfully as have been the historic racial crimes.

It is vital that in our emotions we do not confuse a leader with a people—do not confuse a mobilized nation with a peacetime nation of great social contributions.

I do not wish to be thought unduly idealistic, but I honestly believe that when we look beyond the external militarism which today represents some of the great powers, we rediscover men who have made great universal contributions. I honestly believe that when we think of these contributions hatred becomes difficult. And when hatred becomes difficult we have begun to till the emotional soil for something besides wartime crosses.

In the great deathless contributions to mankind there is an abiding kinship which should make impossible any wartime propaganda. Over the martial music of trumpets we can still hear the music of a Polish Paderewski, a German Strauss, a Finnish Sibelius, or a Norwegian Grieg.

While a perverted modern science works with poisonous gases we can still recall the humanitarian contributions of a Polish Mme. Curie, a German Wassermann, a French Pasteur, an English Darwin, a Swedish Linnaeus, or a Danish Niels Bohr.

While a knowledge of color is being turned to painting camouflage on steel tanks, ships, and planes, we can still recall a German Shongauer, a Spanish Velasquez, a Flemish Rubens, a Dutch Rembrandt, an English Constable, a French Delacroix, or an Italian Michelangelo.

While literature takes second place so that governments may propagandize, we may still read a Polish Krasinski, a German Goethe, a Russian Tolstoy, a French Voltaire, an English Shakespeare, a Norwegian Bjornson, or a Danish Anderson.

While new ideologies are being written daily, we can still ponder over a German Fichte, an English Spencer, a French Rousseau, or an Italian Aquinas.

While religious leaders all over the world stand in the lengthening shadows of war ideologies, we can remember that Sweden produced a Swedenborg, Holland an Erasmus, Spain an Ignatius, Germany a Luther, Britain a Wesley, France a Calvin, Switzerland a Farel, Italy a Pope Pius XI.

While we think of those things, let us remember that from Poland came those heroes Count Pulaski and Kosciuszko, from France Lafayette, from Germany Carl Schurz, as well as thousands of others from the various countries of Europe.



Mr. President, there is an old couplet which applies:

Two men looked through prison bars,  
One saw mud, the other the stars.

In all of us there is the clay man, and there is also the man of God; and so, as nations are but the composite picture of individuals, there is much of the clay and much of the spirit in all nations.

In approaching the issue of this debate, if I am to think of England, I am going to think of her as the mother of the common law, the mother of parliaments; and if I am to visit any of her shrines, it will not be her war memorials—it will be Westminster Abbey and St. Pauls, and I will walk along the Avon and into the church where lie the mortal remains of the immortal Shakespeare, and think his thoughts. And if in this debate I am to visit France, it will not be to stay long by the tomb of Napoleon; rather I shall try to catch the spirit of her writers, her philosophers, her great thinkers, and her people. And if in this debate I am to visit Germany, it will not be to dwell on her warriors, but on her thinkers and her scientists. I shall travel the Rhine from Wiesbaden to Heidelberg, and I shall visit her great cathedrals, her beautiful castles, and I shall mix with her common people.

Mr. President, so much has been said in our newspapers about the Germans that I wish to say a word on that subject. I know the German people. There are no finer people on earth. I have grown up with them. I can, to a limited extent, speak their language. I have read much of their great literature in the original. I know that from the standpoint of Americanism our citizens of German descent are as loyal and as true as any race that is in the melting pot of America. I know, too, that probably 99 percent of the Americans of German descent do not approve of Hitler or of the new paganism in Germany. This, however, is not a factor in their unwavering determination to keep America out of this war—though we can readily understand if they are sympathetic to some of the national aims of the greater Germany. If this is a crime, then, according to the Gallup poll, 83 percent of the rest of the people are likewise guilty, because they have expressed their sympathy toward the Allies.

Mr. President, the outstanding issue in this debate—the repeal or failure to repeal the embargo—divides itself into three parts: The legal question, the moral question, and the economic question.

It will be noted that, in my opinion, the war question is not in the debate. It has been dragged in.

It will be noted also that, in my opinion, the fact that the present law favors Germany and its repeal would favor the Allies is not among the issues of the debate.

I shall not burden the Senate today with a rehash of the arguments on the legal question, nor shall I burden the Senate with a restatement of the arguments on the moral question, and I assure my colleagues that I shall not go into a discussion of the economic question to any extent. These matters have all been considered so fully and so often I feel that it is my duty to refrain from further discussing them except that I shall refer to one phase of the economic question.

#### REPEAL OR FAILURE TO REPEAL EMBARGO NO STEP TO WAR

Mr. President, in view of the repeated assertion made so often in the last few weeks that if we repeal the embargo it may be a step to war, I wish briefly to analyze this assertion, and I hope to prove that it is incorrect.

Why, it may be asked, am I interested in proving the incorrectness of this assertion? I am interested because it appears that the embargo is likely to be repealed. That is what is said in the newspapers and that is what a poll of the Senate shows. It is well, then, that the many millions of our people who have been fed the questionable idea that repeal means a step toward war be made to realize that this is not correct.

I desire to again state my conviction that if the present law is repealed, its repeal will not be a first step toward war. Let us see on what premise that argument is based. The claim is made, first, that if we repeal the embargo now, and it must be remembered that the munitions sales will

amount to only 13 percent of the total sales, it will mean that credit will afterward be extended, then bonds will be floated in this country. As a consequence America will have a financial interest and then America will get into the war as she did in the previous war in which we had a financial interest. That is the argument, and let us get it straight: If we repeal the embargo it will mean the extension of credit, and that will mean the flotation of bonds, and as a result America will have a financial interest, and then we will get into the war, as we got into the previous war. The trouble with that argument is that not one of the premises can be established. Let us analyze this thought.

(a) If we sell munitions and implements of war, credit will follow. Why do I say that is an incorrect contention? Because, first, we will in the proposed measure build an insulation by a cash clause, which we did not have in the previous war. Secondly, when previously credit was extended, 87 percent of it was not used for the purchase of munitions and implements of war, but for other materials which were then, in accordance with law, sold for credit. It will be remembered that not only England and France, but Germany also floated bond issues here. Now we have the Johnson Act, and if the pending measure is passed, we shall have two legislative prohibitions which we did not have previously against selling anything on credit—munitions and implements of war, as well as other commodities such as wheat, cotton, butter, and so forth. So it will be seen that we have here an economic Maginot or Siegfried line as a defense against becoming involved, which we did not have in 1917.

(b) The argument is also fallacious for the reason that it assumes that the credits and bonds got us into the previous war. There is absolutely no proof to establish that conclusion. Von Bernstorff, the German Ambassador, states in his book that the immediate cause of the war was the breach of the understanding with the United States, a breach that loosed unrestricted submarine warfare, resulting in the destruction of the lives and property of our citizens, contrary to international law. Of course, the other causes were 2½ years of extended warfare, which included the rape of Belgium, the sinking of the *Lusitania*, and an "emotional build-up" of our citizens.

To my mind the "emotional build-up" of our citizens was the greatest cause of all. That is why we are called upon here to think straight and act accordingly; to realize that the people are listening; for what is said too often provides a poor guide for their thinking and for their action.

If the suggested law goes into effect, it is highly improbable that there will be any destruction of American lives, because there is the prohibition against Americans traveling in the ships of the combatant nations, and the prohibition against Americans traveling through the war zone, and against American ships going into the war zone.

Then there is another comforting answer, and it is this: The American people are peace-conscious as they never were before. Why? Because most of them know first-hand the cost of war, not only in blood and money, but in seared hearts and minds and consciences. This is indicated by the Gallup poll, which shows that a large percentage of the American people are sympathetic toward the Allies. It shows, further, however, that the percentage which would involve this country in war, in spite of their sympathies, is growing daily less and less. That is a good sign, a sign indicating that the people are thinking and not being stampeded.

We have demonstrated clearly that it was not the American financial interest that got the American people into the last war, and we have demonstrated that if the pending measure is passed, there will be provision made not only restricting the sale of arms and ammunition on credit, but also—and this is not included in the present law—requiring the sale of everything else to be on a cash basis. So there will not be any credit interest involved, and incidents involving loss of life will be made highly improbable.

In view of the so-called war talk we hear, I desire to reiterate what I have said many times. I know of no Senator who

wants to get America involved in war. I know that labor does not want war. Senators who listened to the speech made yesterday by the commander of the American Legion over the radio heard him state emphatically how they felt. The veterans do not want war.

I know that big business does not want war. There may be some blind businessmen, but big business knows that if America gets into the war they will not have any big business when it is over. I know that Congress and the President do not want war. Why then is there so much discussion about this matter? The answer must be that the exponents on both sides of the embargo issue want the people to believe—and they have so argued to sustain their position—that war might come if we do not follow the course they suggest. I say to the Senate that, in my judgment, war will not come as a result of either the repeal or the failure to repeal the present act. I shall keep on saying that. Why? Because one side must lose in this debate. I do not then want that side convinced that war is inevitable, and I do not want it to keep on trying to convince the American people that war is inevitable.

Let us puncture this war balloon right now.

Suppose we retain the embargo. It is claimed that it works to the advantage of Germany. If that be true, she certainly will not declare war if we retain it. On the other hand, Great Britain and France are not going to declare war if we retain it. They want the other 87 percent of our merchandise, our wheat, our steel, our cotton, the stuff that makes munitions. Suppose we retain the embargo. What will happen? Nothing.

Suppose Congress repeals the embargo law. If that works to the advantage of Great Britain and France as the maintenance of it works to the advantage of Germany, she will not declare war on us by reason of its withdrawal. Germany may not like it but certainly she would rather endure it than draw us into the conflict on the side of the Allies.

#### PEACE OR WAR FACTORS

There has been so much war talk that instead of discussing the arguments which have been advanced pro and con, I should like to speak to the Senate for a few moments on peace or war factors. Let us be reasonable. Let us sit down in the quiet of our homes when the radio is turned off and no "heat" is turned on, and think over the problem. Let us be sensible, let us be reasonable, let us be calm, deliberate, thoughtful. Let us think the problem through. Let us for just a moment try to determine what the factors are that will make for war or peace in America, and then when we analyze those factors we may reach the conclusion that neither repeal nor failure to repeal would be one step or part of a step toward war.

Let us for just a moment or two try to determine what the factors are that will make for war or peace in America.

First, Chancellor Hitler—and perhaps Stalin—and what he does in the future.

Second, the American people and what they do in the future.

Third, the political leadership of America and what it does in the future.

I need not go into detail as to the first one of these factors which will contribute toward war or peace for America—"Chancellor Hitler and what he does in the future." It suffices to say that if he should violate the neutrality of Belgium or Holland, should open up a gas war or an acid war, or a germ war, it would have a tendency to make a large percentage of our people see red. If Chancellor Hitler should send agents to this country who would duplicate what was done previous to our entry into the World War, agents who would sabotage our property, that, too, would have significant consequences. Whatever one may say about Chancellor Hitler—I have not heard anyone here who holds a brief for him—one must admit that he is a shrewd individual, and he knows that in any war he would go down if he had American resources, American troops, and American ships against him. He will do everything to avoid a conflict with America.

I have come to the second factor which will contribute toward peace or war for America. It is this: "The American people and what they do in the future." Therefore we ask the question, What can the average American do to keep the covenant of peace and to practice peacetime patriotism? What we need now is peacetime patriotism, not any more buncombe.

I answer that question as follows:

First. He can keep calm and not allow an emotional bias to sway his judgment.

Second. He can keep in mind the fundamental truth that we have nothing to gain and everything to lose by participating in another war. He must aid in balancing our economy, so it will be shock proof against excess wartime demand and profits.

Wartime demand and profits! I heard an impressive speech over the radio last night by the Senator from North Dakota [Mr. Nye]. I have heard him speak several times on the floor, but I have never heard him nor have I heard any other Senator talk about reducing the wartime profits except on the 13 percent involved in munitions and implements of war. Everyone knows that if the Allies do not get arms, ammunition, and implements of war the remaining 87 percent will be increased to 100 percent; in other words, they will take that much additional material to manufacture arms, ammunition, and implements of war in Canada and in England.

Third. He can keep in mind that it is not our job to settle European disputes—or meddle in Europe.

Fourth. He can refuse to accept any war propaganda from any side, remembering that his obligation is to remain pro-American.

Oh, how important that is! Senators may have heard Goebbels' talk from Germany last night. What was he doing? He was doing what has been done so often in America, smearing the opposition. He took a crack at Churchill, literally calling him names that could not be used over the American radio. What was the purpose of that? It was to take the attention of the German people off their domestic problems. I remember what Lincoln said—and I have used it many times effectively in lawsuits. Lincoln said that when a man does not have a good case of his own he damns the opposition, which is pretty good proof that he has a damned poor case of his own. [Laughter.]

Mr. CHAVEZ. Mr. President will the Senator yield?

Mr. WILEY. I yield.

Mr. CHAVEZ. Did the Senator listen to the radio address of the Senator from Idaho [Mr. BORAH] last night?

Mr. WILEY. I am sorry I did not. I shall be very happy to read the address of the Senator from Idaho.

Mr. President, I have said that the average American can refuse to accept any wartime propaganda from any side. I said "any side." He should remember that his obligation is to remain pro-American.

Fifth, and I now speak to the members of the Press Gallery [who are not guilty of the offenses I shall cite]. The average American can express his mandate to newspaper publishers, owners of radio stations, and motion-picture producers all over America that America is not to be terrorized by scare headlines which inflame American emotions; that war-news presentations must be strictly factual and must be torn from their bold-faced prominence and placed in a more fitting obscurity.

Mr. BROWN. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. SCHWELLENBACH in the chair). Does the Senator from Wisconsin yield to the Senator from Michigan?

Mr. WILEY. I yield.

Mr. BROWN. I think there is a very low form of profiteering and propaganda now going on in the country, which, of course, is not designed to get us into war but which has that tendency. I refer to the revival of motion pictures which were based upon incidents which occurred during the great World War. I am referring to such pictures as *All Quiet on the Western Front* and *What Price Glory*, which I believe it is proposed to revive, and the new picture *Thunder Afloat*. I do not think the motion-picture producers



are doing it to encourage the war spirit. They are doing it for profit; but it has the effect of encouraging the war spirit. Along the line of the Senator's remarks, I wish to express my condemnation of this practice by certain sections of the motion-picture industry engaged in this type of profiteering at the present time.

Mr. WILEY. I thank the distinguished Senator from Michigan for his contribution. I heartily agree with his sentiments. We are an emotional people. However, as I have heretofore said in my remarks, one of the great benefits that has arisen from this debate is that we are becoming acquainted with ourselves. An ancient philosopher said "Know thyself." The great Shakespeare said:

"This above all: to thine own self be true,  
And it must follow, as the night the day,  
Thou canst not then be false to any man."

If we know ourselves, and are true to ourselves, we cannot be false to America.

One thing that is imperative—and we who sit here know how imperative it is—is for the people back home to be calm, for Senators to be calm, for every class to be calm, and not become mentally stampeded.

As my fifth point, I have said that the average American can express his mandate to the newspapers, radio stations, and motion-picture producers. Our domestic problems are far more important to America than Europe's war. Let our newspapers, radio stations, and motion pictures concentrate on putting the emphasis of American attention back where it belongs—on America.

This is not a callous indifference. It is one intelligent way to preserve American democracy as a beacon light for war-torn Europe. It is not a panicky, head-in-the-sand escape from realities. It is a realistic approach. Take Europe out of the headlines and put America back in the forefront of American consciousness. America is worth it. She has everything. It is our part to bring America back in the forefront of American consciousness.

Sixth. The average American can concentrate on American peace rather than European war. The average American can stop taking sides. Neutrality begins in the mind of the individual, not in legislative halls. When we think unneutral thoughts we are scuttling American peace.

Seventh. The average American can realize that his voice is the most potent in the world. Mr. President, this is the only land in the world where the voice of the average citizen has such potency. He can accept the challenge to peace and find a way to keep America at peace, and a way to embargo war. The average American can tell his public servants to stop talking war.

Eighth. The average American can think less of Europe and more of America. I know, from the letters I am receiving, that he expects Congress to do the same.

Thus far we have discussed two of the factors which make for war or peace: First, Hitler and his future acts; and, second, the American people and their future acts. The next determining factor is the political leadership of America and its future acts. How can that leadership practice peacetime patriotism?

First. The political leadership of America, both executive and legislative—and I am talking to Senators and to the executives of this land—can write a moratorium on politics when peace is at stake and follow the same peacetime credo that we have just outlined for the average American.

Second. The political leadership of America, both legislative and executive, can give more time to the consideration of Washington's advice—no entangling alliances—remembering that financial and economic alliances may be as dangerous to peace as political alliances.

Mr. President, if I may be pardoned a personal reference at this point, recently it was my privilege to represent in part this body in Oslo, Norway. In the last days of the Inter-parliamentary Union meeting there I saw an exhibition which clarified my mind more than anything I had experienced for a long time. Two of the Balkan countries which were represented there got into a fight, literally, on the floor of the Parliament in Norway. One side got up and started to tell

where the correct line between their countries was. The other side got into the dispute and the controversy was on.

I had not intended to speak, but when that happened I took the floor, and among other things said:

We in America want to be helpful to Europe, but we want to help you to find a way to help yourselves. This last situation illustrates that we do not know anything about the equations which are troubling you over here, and I think we do not want to know. We want to be helpful.

I concluded my remarks with this statement:

Mr. President, I do not crave for my beloved America a meddling's part in Europe.

I say that now. Everywhere there are potential fights. Everywhere there is opportunity for disagreement. Should we turn constantly to Europe when, God knows, we have problems enough at home to look after? So the political leadership of America should give more time to the consideration of Washington's advice.

Third. The political leadership of America can accomplish a constructive purpose by standing for an added check on the dogs of war, aiding in having a war referendum amendment adopted, making it necessary for Congress to have a mandate from the people before this Nation may engage in foreign war.

Mr. President, at the previous session of Congress I introduced such a bill. It was different from any similar bill previously introduced. It was not the so-called Ludlow amendment. The bill provided, in substance, that before we could become involved in a foreign war there must be a referendum of the people; and then, if the people should vote for war, their vote would not be mandatory but only advisory upon the Congress.

Back in the early days of this Nation, when there was written into the Constitution the proviso that only Congress may declare war, the statement was made, "We have added a check to the dogs of war," meaning that there had been taken from the Executive the power to make war, and that power had been put in the hands of the representatives of the people. Now, let us consider that we add another check, so that those who have sons, and those who have businesses, and who will be called upon to spend their resources, may have a right to vote on that issue.

Fourth. The political leadership of America can formulate legislation and plans that not only will aid our national economy now, but will especially prepare for the shocks and problems which will arise when the present war in Europe ceases.

Yes; at the next session we should give particular attention to that question, and prepare for the shocks which will come, whether we like it or not, when the war in Europe ceases.

Fifth. The political leadership of America can define and restrict the powers of the Executive in relation to our foreign affairs. Rightly or wrongly, the haunting precedent of totalitarian states makes the average American fearful of the encroachment of any one man on the powers that must be shared in a republic.

Sixth. The political leadership of America can stimulate trade with South America and other noncombatant countries, think our farm problem through, think our labor-capital problem through, and solve these problems.

Seventh. The political leadership of America can reinstate in the American people a feeling of confidence; it can demonstrate the Government's ability to balance the Budget; it can get rid of government by experts and return the Government to the people.

Mr. President, grave as the European situation appears, we in America need not be appalled; we need not fear and distrust the future of our country. Men's minds here are alert, independent. They are not palsied; they are active. We are arising to meet the challenge head-on, and my faith is that it will be met and America will remain at peace. In spite of the fear mongers and the hysteria begetters, I am glad to ascertain that more and more people are coming to the conclusion that we will not be drawn into this European war. They are realizing that Congress alone has the power to declare war, and that this power is the greatest insulation against America's involvement.

Mr. DANAHER. Mr. President—

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Does the Senator from Wisconsin yield to the Senator from Connecticut?

Mr. WILEY. I yield.

Mr. DANAHER. A few moments ago the Senator from Wisconsin made reference to propaganda, and, of course, the implication was that the propaganda was entirely from overseas. The junior Senator from Michigan [Mr. BROWN] thereupon made reference to certain moving pictures which have been flashed across the American screen during the last few weeks. The junior Senator from Michigan hastened to point out that he did not believe that those pictures were being offered as propaganda but rather that there was a profit motive back of them. Thereupon, when I heard that expression, I sent to my office in order that I might give to the junior Senator from Michigan the observations of News Week, a magazine with which, no doubt, the junior Senator from Michigan is familiar. On September 18, under the heading "Screen openings," appears this statement, which I quote exactly:

Thunder Afloat (Metro-Goldwyn-Mayer). The release date of this "preparedness" film, like that of 20th Century Fox's Twenty Thousand Men a Year, was advanced at the request of the United States Government.

I should like the junior Senator from Michigan, therefore, to know that a responsible magazine, News Week, which is circulated widely throughout this country, has ascribed that particular showing of propaganda, which the Senator from Michigan has condemned, to the United States Government itself, and it has appeared during the pendency and continuation of this debate.

I wish to thank the Senator from Wisconsin for his courtesy, but I thought that we should complete the record in this particular.

Mr. BROWN. Mr. President, let me make one brief observation.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Michigan?

Mr. WILEY. I yield.

Mr. BROWN. I merely wish to say that I do not in any way retract my condemnation of that type of propaganda, and the fact that some persons in the present Government may approve it does not change my opinion at all. I think pictures of that type are most unfortunate in their effect upon public sentiment in this country.

Mr. BARKLEY. Mr. President, will the Senator from Wisconsin yield?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Kentucky?

Mr. WILEY. I yield.

Mr. BARKLEY. I should like to ask the Senator from Connecticut if that article states who in the United States Government or what branch of the United States Government approved the picture referred to, for, as he knows, the Government is made up of many agencies; and if any department or any official has been responsible for the production of this movie or for its reproduction, it seems to me the name ought to be given, because a blanket statement that the United States Government, which is an impersonal entity, has approved it is rather meaningless.

Mr. DANAHER. Mr. President, will the Senator from Wisconsin yield to me briefly?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield further to the Senator from Connecticut?

Mr. WILEY. I yield.

Mr. DANAHER. I thank the Senator. Let me say to the Senator from Kentucky that the picture is one in which there are wooden fishing vessels, supposedly off the coast of New England, which have been sunk by so-called U-boats. In this U-boat picture a gentleman, whose name, I think, is Wallace Beery, a screen actor, purports, almost single-handed, to go out and down the entire German U-boat navy. Of course, the submarines which are pictured there are not U-boats and they are not German submarines, but they are submarines, and they are in New England waters. Whether

or not they are the ones the President has heard of in recent weeks I do not know, but the submarines are in the picture, and I assume they are the submarines of the United States Navy, the loan of which has been permitted, no doubt, in order to make this film possible. If the United States Government has been generalized in the description, it is not my language; it is that of News Week; and if the United States Navy, as a distinct and special branch of the United States Government, participated, or, at least, authorized the use of submarines of our Navy to make that film possible, it would jibe, would it not, with the conclusion of News Week as announced in the statement I have quoted?

Mr. BARKLEY. The Senator may have noted not long ago that the name of the United States Senate was used in connection with the production of a picture. I do not think anybody would concede that the United States Senate authorized or sponsored that picture. If it did, it was certainly a conglomeration and aggregation of fools to have anything to do with a picture such as that to be exhibited before the people of the United States as representing the Senate. I do not know whether or not the Navy permitted the use of the so-called submarines. The fact that it might have done so in order that the picture could be produced should not necessarily cause it to be held responsible for the type of picture that is produced, any more than the Senate can be held responsible for the type of picture released the other night at the D. A. R. auditorium.

Mr. DANAHER. But if this release was advanced in behalf of propagandizing the people of the United States that they might more readily understand that certain nations in the past have been guilty of certain atrocities, then we have a very different situation. Without reflecting in any way upon the "conglomeration," taking the language of the Senator from Kentucky to describe them, I was not one of those to permit anybody to take any pictures of the United States Senate, and I was very happy when the practice was discontinued. Very shortly after the Seventy-sixth Congress convened I saw some unflattering pictures of that "conglomeration" and was glad when the practice was stopped.

Mr. BARKLEY. The practice had never existed, but the rule was relaxed here for one or two pictures, which did not show up much better than the one on the movie screen, which we feel did not really represent this august body, and therefore no good public service would be served by continuing it.

Mr. WILEY. Mr. President, I am happy that Senators have gotten something off their chests, and I am happy also to be able to comment on what has been said.

Mr. FRAZIER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from North Dakota?

Mr. WILEY. No. I desire to proceed, and the Senator can ask me any question after I shall have concluded.

Mr. FRAZIER. I merely wanted to comment on what other Senators have said.

Mr. WILEY. If I continue to yield to Senators, I fear my speech will be extended ad infinitum.

My idea, which provoked this interchange, was simply to indicate to the press, the radio, and the moving-picture concerns—my only object was to call the attention of these three agencies to the obligation they undoubtedly know exists. Of course, it is a serious thing—yes, unthinkable—to think in free America of trying to restrain by force—because it would do more harm than good—freedom of the press, freedom of speech, freedom of the moving pictures, but these institutions having such great freedom must recognize that they have not only a privilege but an obligation; and most responsible newspapers and radio stations do recognize their responsibility. Probably this debate itself has brought to the fore some good, at least, in that direction.

Mr. President, there has been too great a tendency to draw a comparison between 1914 and 1917 and 1939. We have already shown that there is a world of difference in the following respects: (a) There will be less opportunity for incidents; (b) there will be less opportunity for loss of American lives; (c) there will be less opportunity for loss of



American property; (d) the American people are awake to the terrible cost of war.

If we can alter the fatalistic defeatism that draws too close a parallel between these years, we shall to that extent at least have lessened an unfortunate and dangerous hysteria.

If we have learned one lesson from 1917 it is the lesson that America must not again be mentally shell-shocked into a fighting mood. That in itself is the biggest difference between 1939 and 1917, because, after all, the greatest menace to American security is a blind unreasoning fear, a mental defeatism that accepts war as inevitable and a dangerous tendency to become pro-British or pro-German or pro-French instead of remaining solely and only pro-American.

#### THE TIDES OF TRUTH ARE WORKING

Thank God, the tides of truth are working. The debate has been interesting to me not only because light has been shed upon the controversial subject—and there is only one big issue now, and that is the repeal of the embargo—but because it has given me an opportunity to observe the effect of the debate upon the public mind. I have listened to practically every speech in this debate. Throughout the entire session I have done my best to be calm, listening to all the evidence and the arguments in an impartial frame of mind.

#### OBLIGATION OF REPRESENTATIVE TO CONSTITUENTS

Mr. President, we know that public opinion on this issue has been more actively evidenced than on any other issue which has confronted the Seventy-sixth Congress. Since there has been so active an interest, it follows that the legislators have been faced with a current example of a problem ever present in representative government. Let us briefly consider this interesting problem, both as an academic question and in the light of its practical application to pending legislation.

I call the attention of the Senate to Edmund Burke's statement outlining the obligation of a representative of the people:

Their wishes (meaning the electors' wishes) ought to have great weight with him, their opinion high respect, their business unremitting attention. It is his duty to sacrifice his repose, his pleasures, his satisfactions to theirs and, above all, and in all cases, to prefer their interests to his own.

But his unbiased opinion, his mature judgment, his enlightened conscience, he ought not to sacrifice to you, to any man, or any set of men living. These he does not derive from your pleasure, no, nor from the law and the Constitution. They are a trust from Providence, for the abuse of which he is deeply answerable.

Your representative owes to you not his industry alone but his judgment, and he betrays instead of serving you if he sacrifices it to your opinion.

Burke laid down the rule which obtains in England. In this country there has been some conflict of opinion as to the obligation of a representative who is elected by the direct vote of the people. In our Government sovereignty, which is the ultimate political authority, resides in the people. In other words, a public official is looked upon as a servant of the people. Under these circumstances, all legislative representatives are faced with the problem of determining the nature of their obligation to their constituents and to the country at large.

How far and to what extent should a legislative representative be guided by the will of his constituents? It seems evident that any legislative representative should possess and exercise full independence of judgment and action on all matters that come before him, although he should never ignore the opinion of the electorate of his State. It might be phrased in this way: A legislative representative should not recklessly disregard the sentiment of his constituents, but should, so far as is consistent with his best judgment and sense of duty to the Nation, give effect to their sentiments. If this is the obligation of a legislative representative, then there is a corresponding obligation for his constituents which might be phrased in this way: It should be realized that under normal conditions the judgment of a legislative representative, because of the advantage of experience and probably complete information, should be regarded with respect by his constituents.

Mr. President, I may be pardoned if I turn now from this academic discussion of the responsibility of a legislative repre-

sentative to a specific application to the pending legislation. As this debate went on, I came to three conclusions:

First. That repeal or failure to repeal the embargo would not be a step toward war.

Second. That a majority of the Senators were for repeal.

Third. That is a debate in which there is so much merit in the arguments on both sides, and in which the Senate vote on the issue has been virtually determined, it would be no compromise with personal conviction to permit the studied judgment of my constituents to be the determining factor.

I am satisfied that a large majority of my constituents in Wisconsin—the people who took an untried man out of a country law office and a busy business life and sent him to the Senate of the United States—feel that the embargo should not be lifted. I have not arrived at that conclusion from my mail alone, some of which may have resulted from organized pressure groups. No; that conclusion represents an honest evaluation of public opinion, painstakingly gathered from the crossroads all over Wisconsin by nonpartisan folks whose judgment I respect. There are others who are of the opposite opinion whose opinion is equally honest. They are, however, but a small minority group.

Mr. President, I shall vote to retain the embargo. The reason I have given.

When I recently went to Norway to attend the meeting of the Interparliamentary Union, it was my privilege to pass through England. In London I saw St. Paul's Cathedral, the great structure which Sir Christopher Wren designed. You will remember this incident: It is told that during the construction of that cathedral, one of the greatest in the world, a foreigner saw two workmen engaged on the structure. He went to one and said, "What are you doing here?" The man replied, "Oh, I am laying brick. I am getting so many shillings a week." The foreigner said to the other man, "What are you doing?" The second man, too, was a bricklayer. He replied, looking up to the spires, with light in his eye, "I am helping Sir Christopher Wren build a cathedral." I think in this country we are building a new America.

Mr. President, an ancient philosopher, looking up at the starry heavens at night and trying to read the answers to many of the questions that came up in his mind, asked the eternal question, "What are we here for?" Paraphrasing that statement, I might ask, "What are we here in this debate for?" Apparently, we are here to answer this question, and this question alone: Shall we repeal the Embargo Act, which will permit the sale of arms and ammunition—amounting to 13 percent of our total sales from 1914 to 1917—or shall we not repeal it, making it necessary for the Allies to purchase additional raw material to make up the 13 percent?

When we entered upon this debate I had expected that we would go into the question fully and completely of whether or not we should return to international law. Of course, what we do here now will have some future significance; but we are not debating the larger issue, and that is, whether we are standing for a rejuvenated law of nations. Therefore, the issue has become practically as I have phrased it. On all the other matters contained in the joint resolution there seems to be practical unanimity. I refer to cash for goods, a restriction on our own bottoms traveling through war zones, a restriction on American citizens traveling through war zones, and the passing of title to property purchased in this country.

This situation provides an additional reason why I have reached the conclusion that I have. I do not think it is significant in any respect, except possibly in a psychological one, whether the embargo is repealed or not. If it is repealed, part of the material we produce for munitions and implements of war may be manufactured into munitions and implements in this country. If it is not repealed, the material will be used for manufacture abroad and in Canada; but no one yet has claimed, or attempted to prove, that the volume of trade will be less. I have kept faith with my constituents and with myself when I promised to weigh and consider all the facts and arguments before reaching a decision.

Mr. President, I am practically through with my part of this debate, with one exception; and this, to me, is the larger issue. I wish I could impress it upon the whole country:

WHAT WILL HAPPEN AFTER THE DEBATE IS OVER?

Mr. President, what has happened during this debate is important, but probably it is not nearly so important as what will happen after this debate.

One side must lose on this issue. I do not want to see that side then convinced that war is inevitable. I do not then want to see that side gloomily adopting a dangerous defeatism. I do not want to see that side then remaining aloof from the successful side. I do not then want to see the American public divided on an issue that has been settled.

I do not believe that will happen. I believe American sportsmanship, if nothing else, will insure a gracious acceptance of the verdict. I believe American common sense will see the folly in either side accepting the verdict with a die-hard conviction that it must inevitably result in war. I believe American intelligence will demand that all of the factions in this debate shall accept the verdict in a spirit of harmony. I believe American patriotism will mobilize for a spirit of unity that will be bombproof against any attempt to prod America into Europe's war.

NEED FOR UNITY

There is a need for unity. We have only to look to the plucky little Scandinavian countries for a heartening example. Just last Wednesday the Swedish monarch and the Kings of Denmark and Norway and the President of Finland met in Stockholm to discuss the Finnish-Russian question in a spirit of unity. This is an example of nations allied by the consanguinity of a common cultural heritage, a common political democracy, a large measure of social equality, and a common desire to remain independent. Bonded just as we are by a kindred ideology and a kindred level of life, these little nations have banded their countries together in a united front of 17,000,000 of peace-loving people.

This is an inspiring example of unity. The question "Where will the Congress stand on the embargo question?" is not nearly so important as "Where will the American people be after the smoke of the debate clears?"

I have every confidence that America will keep faith—that both factions will unite not to stir the ashes of the debate but to concentrate on building for an abiding American peace.

Mr. President, for the past few weeks we have witnessed the ludicrous sight of a great congressional debate dragging on long after the ballots have been counted. For the past few weeks we have smiled at the incongruity of Senators speaking to chairs empty of all but the speakers' own partisan adherents. For the past few weeks we have witnessed the pitiable sight of a congressional debate reduced to the level of a frequent dodging of the issue, to goad old animosities and old hatreds to new life. For the past few weeks we have heard too much that is pro-English or pro-French or pro—anything but pro-American.

It is time and high time that this debate be finished. The position of almost every Senator in this room is already known.

The high and unalterable ideal of every Senator must be to settle the pending issue so that the attention now being paid to Europe's war may be shifted back to America, where it belongs. Our every energy must now be concentrated on mending the breaks in American unity, in again welding American spirit.

Our great need will be to mobilize against war and to build for peace. We must concentrate on safeguarding against a distortion of cost factors in our economy. European purchases will be more restricted than in the last war, because European credit has been shot through and through with the shrapnel fire of broken obligations. The spirited European competition of the last war will not be a serious factor in boosting the American market, because that competition has virtually disappeared under rigorous price restrictions. Moreover, the other neutrals will undoubtedly get a share of the business.

So our business is to stop looking across the sea and look back at America, so that our internal economy may be directed toward a healthy consumption, rather than a speculative and unwarranted industrial expansion which would bring the potential threat of another economic collapse.

Mr. President, I believe that America will meet these challenges. I believe that after the smoke of the debate clears Americans on both sides of this debate will join hands in a common, fervent desire to remain at peace with all the world. I believe that America will emerge from this period of world crisis greater than ever before. I believe that America will turn from Europe to march on to a high and unique destiny of her own. In that hope, Mr. President, I conclude.

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Danaher	Johnson, Colo.	Reynolds
Andrews	Davis	King	Russell
Austin	Donahay	La Follette	Schwartz
Bailey	Downey	Lee	Schwellenbach
Bankhead	Ellender	Lucas	Sheppard
Barbour	Frazier	Lundeen	Shipstead
Barkley	George	McCarran	Slatery
Bilbo	Gerry	McKellar	Smith
Borah	Gibson	McNary	Stewart
Bridges	Gillette	Maloney	Taft
Brown	Green	Mead	Thomas, Okla.
Bulow	Guffey	Miller	Thomas, Utah
Burke	Gurney	Minton	Tobey
Byrd	Hale	Murray	Townsend
Byrnes	Harrison	Neely	Tydings
Capper	Hatch	Norris	Vandenberg
Caraway	Hayden	Nye	Van Nuys
Chandler	Herring	O'Mahoney	Wagner
Chavez	Hill	Overton	Walsh
Clark, Idaho	Holt	Pepper	White
Clark, Mo.	Hughes	Pittman	Wiley
Connally	Johnson, Calif.	Radcliffe	

The PRESIDING OFFICER. Eighty-seven Senators having answered to their names, there is a quorum present.

Mr. CLARK of Missouri. Mr. President, previously, during the course of the debate, and many times outside this Chamber, I have made the remark that the greatest service the United States could render to democracy in the world would be the preservation of democracy in the United States of America. I believe that with every fiber of my being.

I also stated, when I addressed the Senate week before last, that if I believed that the American frontier was on the Rhine, or that the American frontier was the Maginot line, or if I believed that the first line of American defense was the British Navy, I would scorn, as an American Senator or an American citizen, to vote for either the arms embargo or cash and carry, or credit and carry, or any other of the various proposals which would make us hucksters of slaughterhouse weapons to those who were in actuality defending the United States.

I stated that I had no such belief, but if I did believe that the French and British were fighting our battles, and that they were defending the United States, I would vote for a declaration of war, even though I knew that it meant the end, at least temporarily, and perhaps permanently, of most of the liberties which we hold most dear.

Mr. President, there has been some question about the statements I have made, and because I believe that the pending proposal for the repeal of the arms embargo is a first step toward involvement in war, as I have said before on this floor, and as I repeat, I desire to examine briefly some of the plans already on foot which lead me to believe that the involvement of the United States in war would be immediately followed by the setting up of a totalitarian government in this country, to all intents and purposes as effective as that of any other totalitarian government in the world.

In making these statements I do not wish to be misunderstood as meaning any particular criticism of the War Department, or of anyone who has had to do with the drawing up of these plans, because it is freely admitted on all sides that a dictatorship, a totalitarian form of government, is the best possible form of government so far as efficiency is concerned, for the conduct of war, and that a free democracy is possibly



the poorest and most ineffective form of government for the conduct of a war.

I bring this subject to the attention of the Senate again today merely once more to emphasize the fact that when we allow our sympathies—which have been in the last few days freely expressed on the floor of the Senate by certain Senators—when we allow our sympathies for one side of the belligerents as against another to lead us into war, we are putting in pawn the very dearest of our liberties, which we may never be able to redeem.

Mr. President, let me quote a text from a book officially approved by the War Department, and apparently by the Navy Department—certainly by the War Department—because it contains a foreword, in most eulogistic and laudatory terms, from The Assistant Secretary of War, the Honorable Louis Johnson, who afforded the author of the book an office in the War Department for the purpose of writing it, and who in his foreword almost officially assumes responsibility for it. At page 118 of his book, *Adjusting Your Business to War*, Mr. Cherne has stated:

War is no longer simply a battle between armed forces in the field; it is a struggle in which each side strives to bring to bear against the enemy the coordinated power of every individual and every material resource at its command. The conflict extends from the soldier in the most forward line to the humblest citizen in the remotest hamlet in the rear.

As I said a moment ago, Mr. President, what I wish to say today involves no criticism of military men who, necessarily, are intent on the military purpose of winning a war; who, necessarily, are impatient at any civilian restraint; who, necessarily, have no sympathy with the purely civil rights of our population; who have in mind only the one overwhelming purpose of military effectiveness, which is the system upon which every totalitarian power in the world—Germany, Italy, and Russia—has been geared. I have no criticism of the professional men, who conceive that the most effective defense of the United States today—that the most effective military purposes of the United States—could be best effectuated by a military dictatorship. I make these remarks simply for the purpose of pointing out to the American people the direction in which they are heading when they allow their sympathy for one set of belligerents to engage them in a war.

Let me explain the background of this book to which I shall refer, because it is an illuminating explanation of the present industrial mobilization plan of the War Department. Let me say that, so far as the basis of the 1939 industrial mobilization plan of the War Department is concerned, it is not essentially different from its 1933 industrial mobilization plan, which we discovered and whose production we subpoenaed during the course of the munitions investigation. I discovered at that time, I may say, Mr. President, that the War Department had already drawn and held in reserve in the War Department a number of bills designed to make up the War Department's industrial mobilization plan, a war mobilization plan which had never been sent to the Congress. Those bills were not intended to be sent to the Congress but were to be held in the War Department. Colonel—now General—Harris, the representative of the War Planning Board, admitted the bills were to be held in reserve in the War Department and sent up immediately upon the declaration of war, with the idea that the Congress would not at that time dare enter into any careful scrutiny or any extended debate on the plan, but that the whole plan would be followed, that it would be put through under whip and spur, and that there would never be any questioning of the wisdom of the army and naval officers who had formed the plan.

To a certain extent I became familiar with the plan by invoking the committee process and getting it. Then I introduced those bills in the Senate of the United States, although I stated when I introduced them that I was not in favor of any of them. I introduced them so that they might be called to the attention of the country and, so far as was in my power, I did call them to the attention of the country. I had them referred to the munitions committee, and presented adverse reports on those bills to this body.

Now I discover that the industrial mobilization plan of 1939 is not very much different from the mobilization plan of 1936, and the bills which were already prepared, which I introduced, word for word will put the plan into effect—except that the industrial mobilization plan of 1939 is a little more reticent. They do not want to have a plan that is quite so outspoken, which some Senate committee or House committee could get hold of and expose to the public view before the time they wish to send it up to the Congress.

After that in this year there came out the book *Adjusting Your Business to War*, by Leo M. Cherne. Mr. Cherne was afforded quarters in the War Department for the writing of this book, where he could have the immediate assistance of high officials of the War and Navy Departments for the explanation of the industrial mobilization plan to his subscribers and constituents. In his dedication he says:

I must give thanks to those without whom this volume could not have been written, Joseph Lewis Simon, Harold B. White, Arthur Vall Hart, and to each of the following members of the War and Navy Departments who not only contributed their time and knowledge but the research and data which they have each labored years to perfect:

The Army and Navy Munitions Board; Hon. Louis Johnson, The Assistant Secretary of War; Hon. Charles Edison, The Assistant Secretary of the Navy. \* \* \*

And various other officers whom he sets out in that dedication.

Then in the foreword, written by Louis Johnson, Assistant Secretary of War, we have one of the most fulsome and laudatory endorsements that any book could possibly have.

Mr. President, although the President said he was not familiar with the book when it was called to his attention by the Secretary of Labor, there can be no question, from the fact that Mr. Cherne wrote this book in consultation with responsible officers of the War and Navy Departments, being furnished office and clerical help in the War Department itself by The Assistant Secretary of War, that Cherne was familiar with the implication and the intendments of the present Army mobilization plan. I said a moment ago that the plan was not essentially different from the plan of 1933, which was brought up and put into the Record by the Munitions Committee. It is only different in the reticence of the expression of the 1939 mobilization plan, as shown by the mimeograph pages, because they have reserved certain annexes described in Mr. Cherne's book—precisely the real intendment of the act—but Mr. Cherne's book may be taken as the Bible and the Testament of what is intended under that Army mobilization plan.

Let us now see what it is. It is well summarized by Assistant Secretary Johnson, who is quoted in that book in the following words:

Investigations have made it increasingly evident that the provision of material and the mobilization of manpower must be synchronized if initial efforts are to be effected in the field. Since to create in peace—

Since to create in peace—

a full war reserve of material would beggar even the richest of nations, the only solution of the problem—adequate production after hostilities have been joined—engages the major portion of our attention.

The work of wartime procurement planning and industrial mobilization is concerned with nearly every element—

With nearly every element—

of our national industrial life.

In other words, The Assistant Secretary of War is saying that when war comes nearly every element of our national industrial life is going to be affected.

Mr. President, that statement is so accurate that it amounts to a truism, but many of our fellows, many of our friends in every walk of public life, including men in this body, do not realize that fact when they assert that we can assist one set of belligerents without involvement or disturbance of our whole national life. Mr. Cherne's volume has not been for public distribution or public sale. As I remarked the other day, it was not intended for the perusal of such as I. It was put out at the very large price of \$6.50 a volume for the dis-

tribution to a limited number of subscribers, and was not for sale, even at \$6.50 or \$10, to such men as United States Senators who might be interested in finding out the implications of the War Department's program.

I was able to obtain a copy of the book through the courtesy of a friend of mine in the newspaper business.

An examination of Mr. Cherne's volume, whose foreword, as I have said, was written by Assistant Secretary of War Johnson, shows that the term "industry" includes just about everything, and just about everybody, from the manager of a manufacturing plant to the humblest worker, including farm workers. Make no mistake as to the inclusiveness of this planning. The Cherne volume and the document upon which it is based—the industrial mobilization plan—leave no shadow of doubt on that point. Men and women in every essential industry and in every agricultural pursuit are covered in detail by this program. It makes no difference whether one lives in New York, Seattle, Chicago, Houston, or Bowling Green, Mo. All are covered.

Mr. LEE. Mr. President—

Mr. CLARK of Missouri. I yield.

Mr. LEE. Does the plan provide for a mobilization of finances, or does it deal only with industry?

Mr. CLARK of Missouri. The Senator will have to read the mobilization plan for himself actually to determine that question. As a matter of fact, I do not think it provides for the mobilization of finances in any degree whatever. As to those provisions the plan is so vague that it is possible an argument might be made on that score. To my mind it is perfectly clear that there is nothing mandatory about any such provisions.

It makes no difference, Mr. President, whether the worker has the dirt of the factory or the dirt of the farm on his hands. They are all covered. It makes no difference whether the man or woman holds an office, a shop, or a field post. All are covered. The United States of America joins with the rest of the regimented nations just as soon as war comes. When I say "regimented nations" I mean all the belligerents. We have heard much about dictatorships in Italy, Germany, and Russia; and yet under the French law today Daladier is as much a dictator, or has the power to be as much a dictator, as any of the rest of them. We have only to read the public press from day to day to find cases of regimentation and the breaking down of the Bill of Rights of Great Britain. So we might all just as well recognize that if the United States ever goes into the war it will join with the rest of the regimented nations. We shall do it just as soon as war is declared.

Mr. LEE. Mr. President, will the Senator yield further?

Mr. CLARK of Missouri. I yield.

Mr. LEE. Does the Senator from Missouri know whether or not this book has any official color other than that the foreword is written by The Assistant Secretary of War?

Mr. CLARK of Missouri. I will say to the Senator that I know that the book was written in the War Department. I know that space was afforded to this man Cherne in the War Department to write the book. I know that he is referring, section by section, to a War Department document, the industrial mobilization plan; and I know that since the publication of the book there has been no repudiation or question as to the accuracy of the method in which he wrote. It has also been published in the newspapers that when Secretary Perkins called the matter to the attention of the President in Cabinet meetings he said he was not familiar with the book. He also said that most of the people who write about such subjects do not know what they are talking about, a statement in which I agree. However, in view of the official character of this publication, in view of the fact that Mr. Cherne is himself a consultant in the formation of the plan, and the fact that the book has been in existence for more than a month, with the imprint of The Assistant Secretary of War, referring step by step, paragraph by paragraph, and sentence by sentence to the industrial mobilization plan, I say it is entitled to be treated as an authoritative work.

Mr. LEE. My memory was that when the President was asked at a press conference concerning the book he disclaimed any official responsibility for it.

Mr. CLARK of Missouri. He said he did not know anything about it.

Mr. LEE. I further understood that the Secretary of War, Mr. Woodring, himself declined the opportunity to write the foreword.

Mr. CLARK of Missouri. So far as the industrial mobilization plan is concerned the Secretary of War does not have anything to do with it. Under the law The Assistant Secretary of War is charged with the responsibility of getting up the industrial mobilization plan; and he reports directly to the President, and not to the Secretary of War. Naturally the Secretary of War would not have written the foreword, because he has nothing to do with the plan.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield to the Senator from Kentucky.

Mr. BARKLEY. I know nothing about the statement of the Senator that this man Cherne was afforded quarters or space in the War Department.

Mr. CLARK of Missouri. I think if the Senator will inquire he will find that that statement is absolutely accurate.

Mr. BARKLEY. I have inquired, and I expect to have the information in a few minutes. However, I do know that the Secretary of War, Mr. Woodring, who is the head of the War Department, stated in the press at the time—and that statement has been reiterated more recently—that he knew nothing about the book, and knew nothing about the foreword until he saw it after the book had been published.

Mr. CLARK of Missouri. I am thoroughly convinced that that is true, Mr. President; but the Senator from Kentucky overlooks the fact that so far as the preparation of the plan and the control of it is concerned—as I shall presently show if I have an opportunity—The Assistant Secretary of War is not only independent, but also has control over the activities of the Navy in the matter.

Mr. BARKLEY. What is the difference between the relationship of the Secretary of War and The Assistant Secretary of War to the industrial-mobilization plan?

Mr. CLARK of Missouri. The Senator ought to be familiar with that matter. He was in Congress when the authorization was first passed. I was not. The Assistant Secretary of War is especially charged with responsibility for the industrial-mobilization plan; and he reports directly to the President, and not to the Secretary of War.

Mr. BARKLEY. What relationship did this man Mr. Cherne have? The Senator stated he was a consultant. Was he an official of the War Department in that respect?

Mr. CLARK of Missouri. I understand he is one of the civilian officials who are constantly being dragged in from time to time. A big conference was held down there last week in connection with the industrial-mobilization plan.

Mr. BARKLEY. Was it in his capacity as a consultant of the War Department that he was given space, if he was given space?

Mr. CLARK of Missouri. The Senator will have to obtain that information from the War Department, because he has better facilities for doing so than I have.

Mr. BARKLEY. Not at all. All I can do is to ask the Secretary of War; and the Senator from Missouri can do the same thing.

Mr. CLARK of Missouri. I do not think the Secretary of War knew very much about the matter until it was brought up in Cabinet meeting.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield to the Senator from Indiana.

Mr. MINTON. I have been very much interested in what the Senator from Missouri has had to say about Mr. Cherne's book and the facilities that were made available to him for writing the book. The Senator seems to be somewhat disturbed about that phase of it.



Mr. CLARK of Missouri. Mr. President, so far as that is concerned, I will say to the Senator that I do not care anything about that, because I fully recognize that a man who is able to put out a book at \$6.50, with 20,000 assured subscribers already, would not care whether somebody gave him an office or not. The use of a Government office was simply a matter of facility. I mentioned the fact because it fitted in with the foreword by Assistant Secretary of War Johnson, the dedication by Assistant Secretary of the Navy Edison, and various other elements which tend to give verisimilitude to his analysis of the industrial mobilization plan of the Army. The matter is not important, because any Senator who can get hold of one of the mimeographed forms of the industrial mobilization plan—and I will say that it cannot be obtained in the Government Printing Office, although it is supposed to be a public document—can make an analysis for himself. He does not have to rely on Mr. Cherne. I simply used Mr. Cherne's analysis for the purpose of convenience.

Mr. MINTON. I misunderstood the Senator's position. I thought he was disturbed because Mr. Cherne had been there in a capacity which the Senator thought perhaps was not quite right. I could not understand that, because I remember that Mr. Raushenbush, who was the investigator for the Munitions Committee, of which the Senator was a member, and his wife, who also worked for the Munitions Committee, wrote a book, using the Munitions Committee's records before they were made available to the Senate.

Mr. CLARK of Missouri. Mr. President, I am very certain that they never used any records that had not previously been made matters of public record.

Mr. MINTON. At least they were using the facilities of the Munitions Committee to write a book, and they had as much access to records as did Mr. Cherne, so I could not see why anyone should be much concerned about that question.

Mr. CLARK of Missouri. The Senator has entirely misapprehended my thought. If Mr. Raushenbush and his wife used the records which had been made public records of the Munitions Committee, they certainly were entitled, having helped to work up the records, to speak with authority. The only point I am making as to Mr. Cherne is that when he writes this book he speaks with authority because he was one of those who helped to work up the whole industrial mobilization plan. I simply mention that matter for the purpose of showing the authenticity of Mr. Cherne's analysis of the industrial mobilization plan.

Mr. MINTON. Did not the Senator just say that he had obtained one of the mimeographed copies of the plan?

Mr. CLARK of Missouri. I have not. I have seen one, but I have not been able to come into possession of it. It is supposed to be a public document; but it is impossible, and was from the very time it was made a public document, for anybody to obtain a copy from the Government Printing Office. One of my colleagues, more fortunate than I, was able to procure one.

Mr. BORAH. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield to the Senator from Idaho.

Mr. BORAH. The Senator may have stated who Mr. Cherne is; but if so, I did not hear his statement. I was not present during the first few moments of the Senator's speech. Will the Senator state who Mr. Cherne is, his antecedents, and his connections?

Mr. CLARK of Missouri. Mr. President, I am unable to do that. He sets himself down in his book as executive secretary, Tax Research Institute of America; author of *Adjusting Your Business to the New Legislation*; editor of the *Business and Legislation Reports*, and so forth, with the additional notice of a foreword by Hon. Louis Johnson, Assistant Secretary of War. I do not know who Mr. Cherne is except what I have read in the newspapers. I do know that he occupied an office in the War Department while he was preparing his book.

I do know that the Assistant Secretary of War who is charged with the preparation of the industrial mobilization plan, has written a very fulsome foreword for it, and that in his dedication the author expressed particular thanks to the men without whose aid he could not have written the book,

Hon. Louis Johnson, Assistant Secretary of War, and Hon. Charles Edison, Assistant Secretary of the Navy. I also know that that book was not printed for public consumption; that the Senator from Idaho could not walk down to a book store in this city, pay \$6.50, the price at which the book is put out, and obtain a copy of it; that I could not do so; that the Senator from Kentucky could not do so, and no other Member of this body could walk down to a book store and find the book on sale. It was printed for private circulation for some 20,000 subscribers, according to the statement made by the Tax Research Institute of America.

Mr. BORAH. Mr. President—

Mr. CLARK of Missouri. I yield to the Senator from Idaho.

Mr. BORAH. I understand the Secretary of War declined to write the foreword.

Mr. CLARK of Missouri. That statement was made here a moment ago, and, knowing the Secretary of War, I am entirely prepared to believe that would be true.

Mr. BORAH. And knowing the Assistant Secretary of War, the Senator would have no doubt that he would write it?

Mr. CLARK of Missouri. I would not be surprised.

Mr. BARKLEY. Mr. President, will the Senator yield there?

Mr. CLARK of Missouri. I yield first to the Senator from Oklahoma [Mr. LEE], who has been on his feet for some time.

Mr. LEE. I wish to know further as to the source of the Senator's information—I am not questioning what he says, let him understand—but I want to know, for my own information, what is the source of the Senator's information that Mr. Cherne had offices in the War Department and by whose authority?

Mr. CLARK of Missouri. Mr. Cherne was quoted in the public press as having stated that he did have offices in the War Department, and that statement has been many times repeated in the public press without any denial whatever.

Mr. MINTON. Mr. President, if I may interpolate, the Senator from Missouri makes no point of that, does he?

Mr. CLARK of Missouri. Not at all. I simply refer to it as showing the authenticity of the analysis of the plan to which I am trying to address myself.

Mr. BARKLEY. Mr. President—

Mr. CLARK of Missouri. I now yield to the Senator from Kentucky.

Mr. BARKLEY. I do not desire to take the Senator's time, but I have felt it my duty to call not only the Secretary of War but the Assistant Secretary of War, Mr. Johnson, as to one or two statements the Senator has made, one with regard to this man Cherne having space or quarters assigned to him in the War Department. Mr. Johnson tells me that that is absolutely inaccurate; that he only had such avenues as any other man would have who would come there and seek to obtain information from the Public Relations Division of the War Department.

He further states that, while he did sign the foreword as Assistant Secretary of War as a matter of identification, he states in the foreword, which I have not read, that he does not regard this as authoritative; he does not put the stamp of authority of the War Department on it, and, furthermore, that what the author said in the book was based on the mobilization of the plan of 1936 and not that of 1939, and, therefore, cannot be authoritative. That is the information that comes to me.

Mr. CLARK of Missouri. I stated earlier in my remarks that the only difference between the mobilization plan of 1933, that of 1936, and that of 1939 is that the mobilization plan of 1939, having been fired at on several occasions, is a little more reticent, and it is said that the details will be published in appendixes.

Mr. BARKLEY. This book was written in February, I think, of 1939; the mobilization plan of 1939 had not been promulgated at that time.

Mr. CLARK of Missouri. Of course, they put out new mobilization plans every few days to meet criticism that arises.

Mr. BARKLEY. I am sure the Senator from Missouri would not want to make an inaccurate statement.

Mr. CLARK of Missouri. I certainly would not, and my statement, which I said was unimportant, as to the use of office space, was based on a public statement of Mr. Cherne which was published in the newspapers.

Mr. BARKLEY. I myself think it is not very important.

Mr. CLARK of Missouri. As a matter of fact, I think I was inaccurate when I said "in the War Department"; to be perfectly accurate, I think, it was in the Munitions Building.

Now, Mr. President, let me reinforce the point which I was trying to make by reading another statement from Mr. Cherne's book. I quote:

Who comes under industrial mobilization? Which organizations are "material and industrial organizations essential to wartime needs," for the purpose of industrial mobilization? Col. F. H. Miles, Jr., O. D., Director of the Army Industrial College, has defined this phrase to include "all industrial organizations directly or indirectly. It is even broader, and should be correctly stated as all elements in the economic sphere, including service industries, agriculture, labor, financial institutions, and commercial institutions participating in domestic and international trade. Action in one part of the economic field produces reactions in all other parts. The operation of one industry requires the support of other industries, of labor, of finance, etc. The economic structure of this country must be considered as a closely knit, integrated whole" (pp. 14-15).

Which means, Mr. President, in time of war a closely integrated whole with the Army or the Navy and special emergency organizations set up in complete control, as complete control as exists in any other country in the world; and not only does the Army have the responsibility for the War Department, as I mentioned a moment ago, not only does the Army have the responsibility for the War Department procurement and control of American economic life for that purpose, but, as Mr. Cherne's volume continues:

Although the Assistant Secretary of War has no control over the Navy planning, over industry, or the civilian population, he is charged by law with providing for mobilizing the economic resources of the country in such a way as to satisfy the needs of the Army and Navy, as well as the civilian population. The Navy Department is as vitally interested in this problem as the War Department, and it is necessary that the needs of the two Departments be coordinated in order that there be proper planning. Through joint administrative action, the necessary coordination has been provided for by the establishment of the Army and Navy Munitions Board. This includes the procurement of not only every finished item of supply or equipment but also of many contributory requirements, such as raw materials, semifinished products, power, labor, money, transportation, etc. Since it is impossible to make a plan for industry and confine the plan to the industries required in the production of Army items alone, it is the problem of the Assistant Secretary of War to prepare a national plan for all industry.

That is the gentleman who wrote the foreword to Cherne's book.

Notice, Mr. President, how nicely this regimentation is limited and defined; notice what we are heading into once we have agreed to be lured into the war.

It is the problem of the Assistant Secretary of War to prepare a national plan for all industry.

This is not only a plan for getting supplies for the Army and Navy but a plan for all industry. It is not partial control; it is complete control for every industry, for agriculture as well as for factories, and for the human beings who will do the work. It is totalitarian control as complete as that in any totalitarian state.

The fact that our country is a democracy now will not affect the all-inclusive nature of the controls that will be fastened on the country when this plan goes into effect.

Mr. MINTON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Indiana?

Mr. CLARK of Missouri. I yield.

Mr. MINTON. Of course, the Senator agrees that that plan could not be put into effect except under the war power?

Mr. CLARK of Missouri. There is no question about that. If the Senator was present when I began my remarks, he heard me say that by accident I discovered the fact that these bills in the 1933 mobilization plan of which the Congress had not been advised had already been drawn in the War Department; that they would be sent up as soon as a declaration of war was made, on the theory that they could be put through under whip and spur without any consider-

able debate, and under such circumstances that any Senator or any Member of the House of Representatives who dared to raise his voice to question these measures would be accused of being unpatriotic, of being a slacker, of being a traitor, of being pro-British, or pro-Stalin, or pro something else. That is the whole purpose of the plan—to keep these matters in reserve until they can be sent here and put through in a time of hysteria, after, say, war has developed.

Mr. MINTON. The Senator from Missouri is not only a distinguished public civil servant but is a distinguished former soldier.

Mr. CLARK of Missouri. I thank the Senator for those kind words.

Mr. MINTON. The Senator knows that a nation cannot go upon the battlefield with any degree of success or hope of success if it has not some plans made against the day when it might be called upon to resort to arms. Is the Senator against the Government of the United States having plans ready?

Mr. CLARK of Missouri. I said when I began my remarks that I had no personal criticism to make of anybody in connection with this plan; that what I am trying to do is to point out to the American people that when we get into a war we are getting into a dictatorship and are imperiling the dearest of our own civil rights. I say very freely that a dictatorship is better geared and better calculated for the conduct of a war than is a democracy, and we need not think we are fighting the battle of democracy if we get in—

Mr. MINTON. Mr. President—

Mr. CLARK of Missouri. I will yield in a moment. We need not think we are fighting the battle of the world's democracy in Europe if we lose our freedom and democracy in the United States.

Mr. MINTON. Mr. President, will the Senator yield further?

Mr. CLARK of Missouri. I yield.

Mr. MINTON. Who is urging us to go to war now?

Mr. CLARK of Missouri. We are being urged to take the first step that will lead us into war.

Mr. MINTON. The Senator says "the first step," but there is no evidence it is the first step. With all due respect to the Senator from Missouri, his assertion does not make it "the first step."

Mr. CLARK of Missouri. I understand that.

Mr. MINTON. And even though the statement is fortified with the assertions of many other eminent Senators, there are others here and over yonder who do not agree.

Mr. CLARK of Missouri. Mr. President, of course I am familiar with the mental obfuscation of my dear friend the Senator of Indiana.

The Senator from Indiana reminds me of a story my father used to tell when I was a boy. He said that in a little town in Missouri there was a leading citizen who had been a great "joiner." He was a member of the Masons, the Odd Fellows, the Knights Templar, the Knights of Pythias, the Woodmen of the World, the Married Men's League, the Elks, the Eagles, and the Moose, and nearly every other organization that ever came along. Finally, when he died, they gave him the biggest funeral the town had ever had. The procession started out down the dusty road, with all the brethren of the various orders in regalia, and the old town brass band turned out. An old-fashioned horse-drawn hearse was leading the procession. They got about halfway down to the cemetery, and the band was playing the Dead March, from Saul, and all of a sudden the trombone player let out the most awful raucous discord that anybody had ever heard. It caused the horses drawing the hearse to run off and throw the corpse out in the ditch and caused all the brethren in regalia to stampede up and down and knock down a number of persons. The band leader rushed back and said to the trombone player, who himself had been knocked down in the melee, "What in the devil did you sound that awful, outrageous discord for?" The trombone player said, "Boss, I'll tell you: There was a hossfly lit on my book, and I took her for a note, and I played her." [Laughter.]



So I am thoroughly familiar with the fact that no argument on this floor will convince the Senator from Indiana to the contrary of any proposition that the administration is for, or that he thinks the administration is for, or that he even suspects the administration is for.

Mr. MINTON. Mr. President, will the Senator again yield?

Mr. CLARK of Missouri. I yield.

Mr. MINTON. I want to plead guilty to being "obfuscated" still after the Senator's story. [Laughter.]

Mr. CLARK of Missouri. Mr. President, the War Department knows that this is not a simple matter of a few executive orders, a few rules, and regulations. It is, and must be under this plan, the function of the military to mobilize a nation—mobilize it 100 percent, just as the dictatorships have been doing for years. Everything and everybody must be geared to the war machine under the program.

Here is what Mr. Cherne has to say at another point:

Mobilizing a nation for war is an intricate process. It involves every element of the nation—raw materials, manufacturing capacities, fuel, transportation, and finance. These elements have to be coordinated in full support of any military effort in which the United States is engaged. During the World War, the War Industries Board, headed by Mr. Bernard M. Baruch, was the superagency created to coordinate the industrial effort. The industrial mobilization plan now provides for the creation by the President of a War Resources Administration, a civilian superagency, similar to the old War Industries Board, to exercise the President's war power for the mobilization of industry. In the course of the planning and mobilization, every element of national life is considered along with the strictly military effort. The home front is considered as important as the battle front in order that the national morale be maintained at a high level (p. 17).

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

Mr. CLARK of Missouri. I am glad to yield to the Senator from Texas.

Mr. CONNALLY. It is true, is it not, that this so-called plan has never been enacted into law?

Mr. CLARK of Missouri. That is entirely correct.

Mr. CONNALLY. So, after all, what the Senator is complaining about is something that someone in the Departments or otherwise proposed?

Mr. CLARK of Missouri. That is entirely correct.

Mr. CONNALLY. They cannot exercise any of the powers against which the Senator is inveighing until Congress—not the Senate, but the House and the Senate combined—grants the power.

I say to the Senator that I am largely in agreement with some of the things he expressed as a member of the Military Affairs Committee. As I recall, he did not favor the so-called Sheppard-Hill bill.

Mr. CLARK of Missouri. I did not. I intend to discuss that measure later in my remarks.

Mr. CONNALLY. The Senator did not favor it for the very reason that it gave too much authority to the Executive.

Mr. CLARK of Missouri. That is entirely correct.

Mr. CONNALLY. I have no quarrel with the Senator with respect to that matter; but what I am trying to point out is that the dangers which the Senator is discussing, and from which he is rapidly fleeing, are dangers which are yet to be encountered if and when the Congress grants any such powers. I am not prepared to grant any such powers.

Mr. CLARK of Missouri. Wait a minute, Mr. President. Let me say to my friend the Senator from Texas that I very thoroughly agree with him that these powers cannot be put into effect until Congress shall have enacted them; but, as I intend to show in a moment, Mr. Cherne, apparently inspired by War Department officials, thinks the President can put them into effect. However, I entirely agree with the proposition of the Senator from Texas.

Mr. CONNALLY. Who is Mr. Cherne? Is he the Congress and the President?

Mr. CLARK of Missouri. He seems to be their spokesman.

Mr. CONNALLY. That is just another bogey that the Senator from Missouri has built up—all these ghosts behind

the bushes, and so forth. The Senator creates a bogey with a wave of his hand. The point I am making is that this is something that some "brain truster" or somebody else has proposed, and the Senator now is assuming that it is going to be done, when it cannot be done, and none of it can be done—not a line of it, not a paragraph of it, not a sentence of it, not an edict under it, not an Executive order under it, none of it can be done—until, if and when Congress enacts it. It has not been enacted, and, so far as I know, it is not going to be enacted.

Mr. CLARK of Missouri. Mr. President, I have seen Congress speedily enact so many edicts prepared by "brain-trusters," which I thought were perfectly preposterous on their face when they were sent up here that I have long since given over disregarding as inconsequential the edicts of the bureaucratic braintrusters downtown. Nevertheless, Mr. President, leaving that point aside, I propose to discuss this question now because I know that after the war has been declared, and they send these things up here for passage under whip and spur, any Senator who dares even to enter into any debate on any question as to the provisions of those measures will be dubbed a traitor, a slacker, and any other term they can devise.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield to the Senator from Indiana.

Mr. MINTON. After being obfuscated, and this horsefly dragged in—of course I know the story to the effect that you cannot fool a horsefly—what I want to know from the Senator is whether or not he believes that the Government should have no plans against the day when it may have to go to war.

Mr. CLARK of Missouri. Mr. President, I have explained to the Senator from Indiana five or six times, and to the Senate—

Mr. MINTON. I did not hear it.

Mr. CLARK of Missouri. If the Senator cannot understand it I am not responsible, that the proposition I am advancing is that we should know in advance what we are going to run into if we allow our sympathies for one set of belligerents to drag us into a war. I stated in the first sentence I uttered when I took the floor that I had no criticism to make of anybody for getting up a plan. I simply want the country to know what the plan is, and to know when they allow their sympathies for Great Britain and France and Poland to drag them into a war, as has been proposed on many sides in this country, what they are heading into to, and the fact that they are giving up the dearest of their liberties.

Mr. MINTON rose.

Mr. CLARK of Missouri. If the Senator from Indiana will listen to me for a few minutes, I believe I shall be able to develop the trend of my argument more consistently than I can do with constant interruptions on extraneous matters.

Mr. MINTON. I beg the Senator's pardon. I shall not interrupt him any more. I am glad to receive his assurance that, of course, he is not against the Government having some plan in case of war.

Mr. CLARK of Missouri. I said in the beginning—

Mr. MINTON. Of course, I regret that I was not here.

Mr. CLARK of Missouri. I said in the beginning that I recognize very fully that a dictatorship is more efficient in the conduct of a war than is a democracy; but a dictatorship is not more efficient in the perpetuation of our institutions and of our liberties than is a democracy; and that is the reason why I do not want our country to get into a war.

Notice, as Mr. Cherne points out, " \* \* \* every element of national life is considered \* \* \* ." What could be closer to the totalitarian ideal? There, "every element" is "considered." Here, "every element" will be "considered." A perfect pattern, with no overlapping.

WHAT DOES THE PLAN INCLUDE?

I quote further from Mr. Cherne's book:

The War and Navy Departments expect the President to receive from Congress, probably before the outbreak of war, the necessary legal authority to impose, wherever desirable, the following indus-

trial controls: (a) Price fixing, (b) priorities control, (c) compulsory orders, (d) commandeering of materials and plants, (e) licensing, (f) apportioning commodities and raw materials (p. 114).

Now, this legal authority which the Departments expect is not a simple industrial control. It is a totalitarian control system. What else could it be with—

(a) price fixing, (b) priorities control, (c) compulsory orders, (d) commandeering of materials and plants, (e) licensing, (f) apportioning commodities and raw materials (p. 114)?

What more complete totalitarian control can be imagined than fixing the price the manufacturer, the raw-material producer, the transport facility may get for their products and their services?

What could be more complete than the power of "priorities control," which means that some Government board—very likely an understrapper, or a subunderstrapper, or an assistant subunderstrapper of some Government board—dominated by military requirements, can put a manufacturer out of business, or cripple him so badly that his whole investment is gone if he does not jump when the whip is cracked by Washington?

Think of the ramifications when the power of priorities control is used. If the wartime administration does not like the editorials a certain newspaper is printing, and wants to hush it up, it can hold up deliveries of newsprint or printer's ink so no paper is available to that journal for printing or ink for printing it. It can say "No more ink—it's needed elsewhere," and that newspaper will be forced to stop printing.

Mr. President, that is the most effective censorship that can possibly be imagined. They do not want to write it in large letters in the law. If they have the power, which we know will be exercised when the time comes, it makes no difference whether it is written on the face of the law in explicit terms or hidden in the law in such fashion as I have suggested, we have established a censorship whenever we pass any such law.

This is merely a sample of what control of priorities means. And remember that this is only one of the restraints to which the country is to be subjected when M day rolls around. To talk about recent domestic business controls in the same breath with this power, power to make or break a man by withholding materials and fixing priorities on deliveries, is nonsense. Our present business regulation is mere child's play beside that sort of control. Let Mr. Cherne tell us about the penalties available for noncooperation. I quote further from his book, pages 129 and 130:

Although there is nothing in the industrial mobilization plan which is designed to make the control of priorities other than a means of controlling essential contributory factors of the production of essential military needs, it is important to recognize that resistance to the needs of the armed forces, or failure of industrial cooperation can be met effectively by the control of priorities, in addition to the power of commandeering.

Thus, it is conceivable that a recalcitrant or obstinate manufacturer will find his obstinacy embarrassing if overnight the Policy Division of the War Resources Administration, decides that the power which he has been utilizing can more effectively be utilized by another competitive company manufacturing essential commodities for the Government.

What is that but a bald statement, which would be blushed at in Germany or Italy, that a government functionary can tell an independent American businessman that if he does not obey his ukase, he will ruin him by taking his power away from him in favor of a competitor?

What could be more complete than the power to enforce compulsory orders, to commandeer materials and plants, to require a license, to establish priorities, and so forth? The answer is that nothing could be more complete in its regimenting potentialities.

As the Senator from Texas and the Senator from Indiana said a moment ago, it is not the law. "But we do not have this enacted into law," say the uninitiated. How easily our people can be fooled! Of course, we do not have this plan enacted in legislative form, but that does not matter. Listen to what Mr. Cherne has to say on that point, at pages 114 and 115 of his book:

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The industrial-mobilization plan proceeds on the theory that these powers will be placed in the hands of the necessary super-agencies during wartime. The fact that Congress has not yet granted those powers is, in this instance, however, not of paramount concern. It must be remembered that the President, as Commander in Chief of the armed forces of the United States during wartime, has what is commonly referred to as the "war powers of the President," the great reservoir of authority which the custom of this country has permitted to be used as the emergency may require. These powers have not been completely defined in law or in the expressions of court and as a matter of actual fact are not only indefinable but beyond practical limit. The wartime powers of the President as exercised by Woodrow Wilson during the World War would have been ample to insure the immediate and complete application of the industrial-mobilization plan in all of its details without a single enactment of Congress, if this were considered desirable in an emergency.

Think of the situation! Without a single enactment of Congress, the plan could go into operation under the wartime powers of the President.

The senior Senator from Michigan [Mr. VANDENBERG], with the unanimous backing of this body, made an attempt recently to learn from the Attorney General of the United States what these wartime powers of the President covered in the President's proclamation of national emergency were, and we got the reply from the Attorney General that he could not give us an answer. I do not know whether it was because the Attorney General did not know or because he would not give us an answer, but I do know that the Attorney General of the United States refused the request of the Senate of the United States to give us an answer as to what the wartime powers covered by the President's proclamation in national emergency amounted to.

A few days ago the Senator from Wisconsin [Mr. LA FOLLETTE] spoke of those powers on the floor of the Senate. Let me remind my colleagues of them in this connection.

During the World War the President had complete control of the transportation system. He was free to requisition and fix the price of supplies for the Army. He could commandeer factories, procure ships and war materials. He completely controlled the price of wheat and coal and imposed many special regulations concerning marketing. He had broad powers in the censorship of communications.

These are only samples. There are many more, some of which are still in force, waiting only to be invoked at the President's wish.

The Senator from Wisconsin also mentioned the "tremendously far-reaching powers" that have been given the President since the World War. I quote him:

Under the Federal Communications Act he has the power, in war or national emergency, to close any radio station or take it over for the use of the Government. Under the Merchant Marine Act of 1936 the Maritime Commission may requisition merchant vessels during any national emergency declared by the President. Under the section of the 1917 Trading With the Enemy Act, which was amended and incorporated in the Emergency Banking Act of March 9, 1923, the President has very wide powers over the Nation's fiscal and credit transactions "during time of war or during any other period of national emergency declared by the President." \* \* \* (CONGRESSIONAL RECORD, October 12, 1939, p. 329.)

That is what we must contend with. That is what the manufacturer, the laborer, the farmer must contend with. Just as soon as war comes there will be no debating the issue. It is all settled now; and what can be done about it?

The only thing that can be done is to keep out of war, so that this devilish program cannot be fastened on our national life. That in itself is a powerful reason for not taking a single small step toward letting down the barriers against war involvement. And do not forget that it will be done by small steps, no one of which by itself can be said to be a direct cause of our getting into war. But mark my words, when we take the first step, we have set our compass. The second step becomes a little easier. As we go on the pace is accelerated, and one sad day we find that the sum total of all these steps, each one taken without any intention of getting into war, has landed us and our institutions and our posterity squarely in the lap of war.

Mr. President, when I was a small boy I used to hear my father quote these words from Virgil: "Facilis descensus averni"—easy is the descent into hell. I fear that the small



steps which we may take in this crisis may eventually be steps which will land the country in the bottomless pit of war. From then on it is farewell to freedom, to liberty, to all the cherished privileges we have enjoyed under our democracy, at least during the course of the war, and possibly for a long time afterward.

This is what the War Department, according to Mr. Cherne, has to say about labor in war times:

In time of war the manpower of the Nation has two distinct functions—to provide men for the armed forces and to provide men for the maintenance of those armed forces. The war labor administration must supervise this problem and provide machinery for the equitable and voluntary distribution of labor, skilled and unskilled, male and female, to industry and agriculture during the war, and to further to the utmost the war efforts without causing unnecessary destruction to normal industrial efforts.

Mr. President, here are some of the labor difficulties to be solved by "an advisory council" which will be appointed to assist the war labor board, according to Mr. Cherne. He says:

An advisory council will be appointed to consider the following principal labor problems to make sure that they are accomplished:

- (1) Measures to prevent grievances of employers or employees, whether actual or imaginary, from interfering with war production.
- (2) The effect of organization of employers into trade associations—

Which, of course, means the emasculation of the antitrust laws—

and of the right of collective bargaining between such organizations on industry's ability to meet the material requirements of the armed forces.

- (3) Standards of wages, hours of labor, and working conditions.

Everything that labor has fought and contended for in this country since the foundation of the Republic shall be placed into the hands of this advisory council.

- (4) Equality of pay for identical work.
- (5) Necessity for the modification of the statutory workday—

A statutory workday, which has been a matter of struggle on the part of labor in this country ever since I can remember—

with due regard for the national necessity and the welfare of labor.

- (6) Maintenance of maximum production in all war work and the suspension for the period of the actual emergency and a reasonable adjustment thereafter of restrictive regulations not having the force of law which unreasonably limit production. (Adjusting Your Business to War, p. 142.)

Note that this advisory board can only advise on points 3, 5, and 6.

This means that the key protection of labor's present rights depend, in the last analysis on a war labor administration. This board or the administrator can dictate:

- (1) Standards of wages, hours of labor, and working conditions. (No. 3, p. 142.)
- (2) \* \* \* the modification of the statutory workday with due regard for the national necessity and the welfare of labor. (No. 5, p. 142.)
- (3) \* \* \* a reasonable adjustment \* \* \* of restrictive regulations. \* \* \* (No. 6, p. 142.)

What could be more complete than that? What and where is the difference between this sort of a program and totalitarianism's control over labor?

Let us look into some of these labor provisions and see just what will happen to labor.

In the first place, the war labor administration will be dominated by industrialists. The employee point of view will have little chance for expression. Labor is to be used only as a means to an end.

I do not find that Mr. Cherne says who will make up the personnel of the war labor administration. But the 1933 edition of the plan, on which the 1939 version described by Mr. Cherne is based, indicates what may be expected. On this question the Munitions Committee, in a report presented by me, said of the earlier plan:

The administrator of war labor should be an outstanding industrial leader. He is to be assisted by a deputy nominated by himself who presumably would also be an industrialist. He will be assisted in the control of labor by the labor division of the war industries administration. This body is composed primarily of men chosen by the industrialists heading the general control

agencies or the military departments. There is no provision for a single direct representative of labor, either organized or unorganized, on it.

This agency is to deal with some of the most important differences of interest of modern times and is to have powers vitally affecting the well-being of millions of working people. Yet, as planned, it is completely dominated by one party in the case—the employer side. It is not planned to offset this by representation of the labor side in positions of authority or even to include neutral individuals representing the public. Such an organization may be very antagonistic to aims with which labor is concerned. For example, of the five representatives of employers on the National War Labor Board of the World War only one had ever dealt with labor unions in his business.

The only representation for labor provided in the plan is in connection with an advisory council for the labor administrator. This is to be composed of five representatives for industry and the same number for labor. Final authority rests with the "prominent industrialist," who is to be the administrator, rather than with the advisory board. And there is a strong possibility that whatever influence the board may have will be nullified. The matters with which it will be concerned, such as collective bargaining, labor disputes, wage rates and hours, are extremely controversial. Experience under the N. R. A. shows that settlement of such problems may in some cases require a year. In war such delay would be impossible. So if the advisory board should deadlock the administrator would have to settle such issues himself (Senate Munitions Report, No. 944, pt. 4, pp. 47-48).

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. CHAVEZ. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Danaher	Johnson, Colo.	Reynolds
Andrews	Davis	King	Russell
Austin	Donahey	La Follette	Schwartz
Bailey	Downey	Lee	Schwellenbach
Bankhead	Ellender	Lucas	Sheppard
Barbour	Frazier	Lundeen	Shipstead
Barkley	George	McCarran	Slattery
Bilbo	Gerry	McKellar	Smith
Borah	Gibson	McNary	Stewart
Bridges	Gillette	Maloney	Taft
Brown	Green	Mead	Thomas, Okla.
Bulow	Guffey	Miller	Thomas, Utah
Burke	Gurney	Minton	Tobey
Byrd	Hale	Murray	Townsend
Byrnes	Harrison	Neely	Tydings
Capper	Hatch	Norris	Vandenberg
Caraway	Hayden	Nye	Van Nuys
Chandler	Herring	O'Mahoney	Wagner
Chavez	Hill	Overton	Walsh
Clark, Idaho	Holt	Pepper	White
Clark, Mo.	Hughes	Pittman	Wiley
Connally	Johnson, Calif.	Radcliffe	

The PRESIDING OFFICER. Eighty-seven Senators have answered to their names. A quorum is present.

Mr. CLARK of Missouri. Mr. President, the 1939 plan, like the 1933 edition, invokes the work-or-fight principle used in the final months of the World War. Of this drastic principle the Munitions Committee report says:

The wartime authorities can largely determine where men whose draft has been deferred are to work. Mr. Baruch has described the work-or-fight order as saying to these men:

"No matter what the grounds for your deferment may be, unless you are faithfully, continuously, and usefully employed in a capacity and for an enterprise determined by the Government to be essential to the prosecution of the war, your deferment will be canceled and you will immediately be called for service with the colors."

He has said that the Government—

"Can go much further. It can say that if a man be called and found unfit for military service but fit for other work in the essential lists (of industries), he must so employ himself or be cut off from rations, transportation, fuel, and supplies."

He favors the use of this principle in the next war and states that it "is capable of immense expansion."

The committee believes that if the work-or-fight principle is authorized by law, along with a draft act such as the War Department contemplates, then this country will have for all practical purposes a draft of labor. The military and industrial authorities are interested in two things in connection with labor—an adequate supply of workers in the jobs where they are needed and continuity of employment with no stoppage of work. Under the above set-up they can achieve these aims. They cannot perhaps order every individual to work at a particular job picked out for him specifically but they can order him not to work in certain industries and they can specify certain industries in which available men must be employed if they want to stay out of the Army. If they refuse to allow men to remain idle at all, as they would have a right to do, then workers would have to accept the particular jobs indicated to

them by the Government, since even in war it requires some time for a man who has just lost one job to find another without assistance. Furthermore, the Government authorities could break any strike simply by canceling the deferments of the strike leaders and as many of their men as necessary and drafting them into the Army.

Mr. Baruch has said that the work-or-fight plan is even more effective than the draft of labor in achieving the aims of war control of labor.

"The draft of men for industrial employment is not only impossible; it is wholly unnecessary. The work-or-fight method is a better way. It is compatible with our institutions and far more effective than any chain gang or impressment that could be invented.

"There is no doubt that in any future emergency there must be just such a control of human effort as has here been suggested. The productive effort of war must be very much greater than the productive effort of peace, and it must be made at a time when the very cream of the country's physical manpower is being withdrawn by millions from productive effort. Such vast demands can be met only if everybody goes to work." (Senate Munitions Report, No. 944, pt. 4, pp. 48-49.)

Labor's right to strike and the growth of union organization may be dealt a death blow under the plan. This is what the Munitions Committee report says on that point:

The necessity for increased production may bring the Government into conflict with organized labor. The industrial-mobilization plan provides that the War Labor Administration shall consider the question of:

"Maintenance of maximum production in all war work and the suspension for period of the actual emergency and a reasonable adjustment thereafter of all restrictive regulations not having the force of law which unreasonably limit production."

This might include the abrogation of union contracts pertaining to wages, hours, and conditions of work. In an effort to hurry production the War Department undertook in the last war to allow contractors for cantonments to hire nonunion labor. This stand was modified following a protest from the American Federation of Labor.

Labor organization by itself does not guarantee the worker his rights in a wartime situation. Much depends on what use is made of the organization. In war, labor unions may not be as militant in seeking to gain their ends as they are in peace. Labor leaders are particularly subject to the patriotic pressure of wartime. Samuel Gompers, president of the American Federation of Labor during the World War, in the spring of 1917, called a conference of both labor and industrial leaders which reached an agreement that "neither employers nor employees shall endeavor to take advantage of the country's necessities to change existing standards."

As a result the Washington labor leaders ceased to push organizing campaigns as vigorously as they might otherwise have done, according to some who also hold that if it had not been for the activities of the rank and file, the situation in the industrial relations might have been frozen and labor would have gained much less from the war. The officers of the federation "put aside their roles of organizers and strike leaders to become conciliators and mediators."

This question of patriotic pressure has an important bearing on the use of labor's most fundamental means of gaining its demand—the strike. A strike by labor cannot be secret like those strikes by industry discussed above. It will be open and subject to public scrutiny. This fact is bound to reduce the readiness of labor leaders to resort to strikes in war.

Even if labor does feel it necessary to resort to strikes, there is no guaranty that it will be free to do so. In Great Britain the right to strike was abridged by law. In this country one of the principles adopted by the Labor Conference Board was that there should be no strikes or lock-outs during the war. The War Department has said that problems "that arise from differences between employers and employees . . . can be minimized by foreseeing and wherever possible forestalling such disputes . . ."

If a strike should break out, ways of dealing with it are available to the Government authorities. It has been pointed out that the deferment system of the General Draft Act, either with or without a work-or-fight bill, constitutes a tremendously effective strikebreaking weapon. It is also possible for the military authorities to take soldiers in uniform, order them to work for private employers, and break a strike in this fashion.

According to the minority report of the Graham committee, soldiers were set to work in this manner in the lumber mills of the Pacific Northwest during the last war with the knowledge of Mr. Gompers and the Secretary of War. Mr. Howard Coffin testified regarding this incident before the War Policies Commission as follows:

"Mr. COLLINS.—

That is Representative COLLINS, of Mississippi—

"Mr. COLLINS. Now, you spoke about labor. What do you think about the Government drafting about twice as many men as it needs and then taking those that it does not need for strictly fighting purposes and using them as labor?

"Mr. COFFIN. Entirely impractical, except in some specialized instances, as, for instance, our timber situation in the Northwest. That was a situation that, late in 1917, had to be met in just that way, and it probably was the wisest way to meet it."

The attitude of military men may be hostile to strikes even in peace. According to testimony before the committee, a Captain Williams, of the Navy, was sent up to Camden in connection with the strike then in progress at the plant of the New York Shipbuilding Corporation. He was reported to have "intimated very strongly" to labor officials that unless the strikers returned to work upon the company's terms the Navy would remove an unfinished cruiser from the yards (Senate Munitions Report, No. 944, pt. 4, pp. 51-53).

Mr. President, on the all-important question of wages, labor is sure to come out on the bottom. It is certain that in wartime, in spite of any price-fixing controls now contemplated, living costs will go up. But will wages be permitted to keep pace with increasing living costs? It is hardly likely, and on this score, as on many others, labor will be left holding the bag.

Listen to what the Munitions Committee report says of wage control:

The industrial mobilization plan clearly contemplates control over wages in the next war. Among the points to be considered by the War Labor Administration are standards of wages, hours of labor, and working conditions. The actual control over wages is delegated to the price-control committee. Mr. Baruch has specifically recommended the fixing of all wages. A determined effort to keep wages down is possible in the next war. If the methods of preventing labor from protecting its rights described above are employed, it may be successful. The committee has pointed out that any effort to prevent a wartime rise in prices and profits is unlikely to be effective. If wages should be stabilized and there should be a wartime increase in the cost of living the position of labor would become intolerable (Munitions Report, No. 944, pt. 4, p. 53).

The selective service provides another opening for laying restrictions on labor's shoulders. The Munitions Committee report describes how the draft can be used to exert complete control over labor's activities. I again quote from the report:

The Honorable David Lloyd George, wartime premier of Great Britain, has stated that there was no need for special legislation to control British labor after general conscription was put into effect. In this country, as has been pointed out, there will be considerable flexibility as to who is drafted and who is deferred under the War Department's selective-service law. The decisions on this point are entirely in the hands of the draft authorities. "With 5,000 local boards engaged in selecting fighting men, mistakes are to be expected."

It will be quite possible for these draft boards to use their power of canceling deferments for the purpose of regulating the activities of workers in the same manner as under a work-or-fight bill, the only difference being that the real reasons for the cancellations will not be officially recognized. Especially will this be true if the personnel of the draft boards is like that of the other war agencies in being composed mainly of men sympathetic to the employer's point of view. (Senate Munitions Report, No. 944, pt. 4, p. 50.)

So far as the matter of draft is concerned, I should like to remark at this point that during my temporary absence from the floor the other day the Senator from Illinois [Mr. Lucas] saw fit to question the statement which I had made as to the intention of the mobilization plan with regard to the draft of boys 18 years of age and up. He questioned my authority in that matter.

Mr. President, for many years I held the same position in the Missouri National Guard as the Senator from Illinois now occupies in the Illinois National Guard. I am as familiar as he is with the mechanics of draft regulations.

I also, Mr. President, came into possession during the Munitions Committee investigation of a bill already on file in the War Department for the drafting of man power in the event of war. As I stated in the beginning of my remarks, I introduced that bill, stating at the time that I was not in favor of it; had it referred to the Munitions Committee, and reported it adversely.

So I was informed as to precisely what the intentions of the War Department were, and there was no question as to the age to be included in the draft. The bill to which I referred was Senate bill 1721, Seventy-fourth Congress, first session, introduced by me on February 6, 1935, referred to the Munitions Committee, and shortly thereafter adversely reported by me from that committee.

Section 2 of that bill provides:

That every male person, except as hereinafter provided in this section, who shall have reached the eighteenth anniversary of the date of his birth on or before the day or days fixed for registration,



shall be subject to registration in accordance with regulations to be prescribed by the President; and upon proclamation by the President, or other public notice given by him, or by his direction, stating the age groups of those to be registered, \* \* \* it shall be the duty of all such persons \* \* \* to present themselves for and submit to registration under the provisions of this act.

It does not lie in the mouth of the Senator from Illinois or anyone else to dispute what the purpose of the War Department is in that matter, because it has been given out publicly from time to time. It is included in the 1933 industrial mobilization plan, and it is included, not quite so explicitly, in the 1939 plan. There can be no question on earth as to the intention of the War Department to draft or register for the draft boys of the age of 18 or from 18 up and to take them as their class may be called. Of course, it is perfectly true that they would constitute the second class to be called, but, nevertheless, a boy who is 16 years old now or a boy who is 17 years old now, if the United States should not get into war for another year or two, would undoubtedly be in the second class of the draft in accordance with the War Department's plan.

Most Americans think of national defense in the terms of defending the United States, or at least of defending the United States plus Hawaii, the Canal Zone, and the Caribbean Sea, or, at most, the Western Hemisphere. What sort of an army would be needed for any of these defensive areas? Certainly any one of the three possible defense areas would not necessitate operations of the magnitude of those undertaken in the last war when we raised 4,000,000 men. Yet we find, according to Mr. Cherne—and I quote from his book again:

The War Department's protective mobilization plan, a plan which outlines the manpower needs and the distribution of those needs after M day, initially contemplates mobilizing only the Regular Army and National Guard. But the plan does set up a procurement objective for the first 4 months of 1,200,000 men. The manpower needs are broken down to 300,000 the first month, 200,000 the second, 300,000 the third month, and 400,000 the fourth. The Army's problem is not only one of getting a lot of men but getting them quickly after mobilization starts. If the war is one of great magnitude, there is the additional problem of procuring men for subsequent mobilization in monthly totals of from 200,000 to 400,000, until the maximum possible forces have been raised.

The armed forces today have complete plans for reenacting a Selective Service Enabling Act in time of emergency. But even with these plans, an estimated 60 days will elapse between the declaration of war and the time that actual recruits will be available as a result of draft. The problem of voluntary enlistment occurs during those first 60 days.

It is estimated that approximately 500,000 volunteers will be needed during the 2 months after M day. This estimate is made despite the fact that the United States has never succeeded in obtaining volunteers in any such numbers. The record during the World War shows that in April 1917, 86,000 were secured, in May, 119,000, and in June, 95,000. Thus in 8 months of voluntary enlistment during the World War the military got slightly more than the present objective for 2 months (p. 194).

An army of 1,200,000 men, set up in 4 months, plus possible "subsequent mobilization in monthly totals of from 200,000 to 400,000, until the maximum possible forces have been raised," indicates that something more than mere defensive arrangements are contemplated. I do not know of any recognized military authority out of the armed services who has stated that a force of this size is needed for defense.

What is this army for? Where is it going to be used? That is something the American people have a right to know.

Yet this is what is contemplated by the industrial mobilization plan. Where will this octopus next fasten its grip?

And beyond the voluntary enlistment program we have the draft, to catch every section of our manpower. If the people do not come in of their own volition and enlist, they will be hauled in by the draft act.

Just what does the draft mean to the human beings who are spoken of so glibly in this plan that is to be clamped down on the country as inexorably as night falls, on M day, the day of mobilization? Readers' Digest for August 1939, in a condensed version of the article by Cabell Phillips and J. D. Ratcliff, published originally in the August American Legion magazine, describes the situation in which Henry

Putty, a fictitious Oklahoma City garage mechanic who has just read the glaring newspaper headlines announcing the war declaration, finds himself:

When Henry Putty, Oklahoma City garage mechanic, for instance, reads the electrifying headlines in his evening paper on the fateful day, he may tell himself that he had seen it coming. But until that moment war had probably seemed to him only a distant threat, and his own involvement even more remote. He reads the President's speech before the joint session of Congress. But the significance of another news item escapes him. Immediately after voting to go to war, Congress unanimously passed the Selective Service Act.

It would be annoying to Henry if he knew how completely that act has planned his life for him. But of course he doesn't. He has never had access to that 32-page mimeographed document, the selective-service law; nor to the thousand and one other details of the plan that affect him. Let's accept Henry as 25, unmarried, living with self-supporting parents—the representative of 10,000,000 American men—and see what happens to him.

The morning after declaration of war Henry reads that the President will speak over the largest radio hook-up ever put together, instructing everybody between the ages of 21 and 30 to report to his regular voting place to register for military service. The registration date is set for the next week.

During this intervening period there is an enormous blast of publicity. Posters go up: "Patriots will register—others must." Henry, knowing little about the mechanics of lithography, won't pause to wonder how these posters were produced with such magic speed. Nor will he notice the pattern that runs through all the newspaper feature stories. They are written in a highly patriotic vein, but each carries a threatening undertone, suggesting that serious things will happen to anyone who refuses to register. Henry dutifully reports on registration day.

Ahead of him in line is an uncombed individual with fierce black eyes, who begins to harangue those in charge about constitutional rights and the evils of war. He is stopped almost before he has started. The man behind the table starts reading from the regulations:

"If the prospective registrant is sullen or inclined to falsify, his attention should be called to the penal provision of the law. \* \* \* If he is still refractory, the case is reported to the necessary police authority. \* \* \* The registration must not be obstructed."

There are several policemen standing by. The registration proceeds.

Henry signs his card and is given a second card—for purposes of identification. He must be able to produce it at any time he is called on to do so. It carries the number 800, which means he was the 800th man to register in his district. From the moment he puts his signature on that card, he is subject to military law—all this, understand, by the time the war is 8 days old.

On this same day 12,000,000 other men have filled out cream-colored cards precisely like the ones Henry signed. The all-inclusive ritual extends even to jails and insane asylums. Four days later, the lottery is announced. The newspapers say that the President will draw the first number capsule determining the order in which men will go into the army, and they urge every one to listen to the broadcast. If the President draws number 346, that means every man with this number on his registration card should prepare to leave at once. At his radio Henry hears various numbers announced. And finally 800 is called, moving him a few more feet toward the front.

Five days later, Henry receives a long questionnaire which he is directed to fill out. The questions puzzle him. Does he have a wife? Is she self-supporting? What crops does he raise? Did he file an income tax last year, and does he own his own home? Henry fails to wonder how these questionnaires were ready so quickly. He has had no way of knowing that months were spent on devising questions which would extract a maximum amount of information and that master copies of the resulting questionnaire were kept in every State capitol ready to go to the printer when M Day arrived.

Two days after mailing his questionnaire back to the local Selective Service Board which has miraculously sprung up, Henry is informed that he is in Class I and should report to a designated doctor for physical examination immediately. Class I indicates that there is no reason why he should not be inducted into the military service. Class II would signify that he was engaged in some necessary work—like making shells or running a wheat combine. Class III would mean that he had a family dependent on him, and Class IV that he had a glass eye or a cork leg.

Henry passes his medical examination, and 9 days later is ordered to report to camp—along with some 300,000 other young Americans. A scant 30 days after the declaration of war, Henry Putty, garage mechanic, has become Private Henry Putty. He can never get it quite straight how these things happened to him so rapidly. The answer, of course, lies in the fact that all preparations had been made in advance.

Mr. Cherne in his book refers to a humorous illustration of what a draft act includes. He quotes the draft act of Abyssinia as cited by Major Hershey, as follows:

Every one will now be mobilized, and all boys old enough to carry a spear will be sent to Addis Ababa.

Married men will take their wives to carry food and cook. Those without wives will take any women without husbands.

Women with small babies need not go. The blind, those who cannot walk or for any reason cannot carry a spear, are exempt.

And finally, terse but effective:

Anyone found at home after receipt of this order will be hanged.

Now, I would not want to compare the industrial-mobilization plan to the Abyssinian draft act; but there is, to be frank, a similarity in the extent of their coverage of manpower resources. All but the lame, the halt, and the blind are covered by the industrial-mobilization plan; and those groups will be told how they shall live, too.

Women are not to escape, if we are to believe Mr. Cherne's story—a story apparently approved by the Assistant Secretary of War—for he says:

Briefly surveying the Nation's manpower and determining the part which can be set aside for exclusive use of civil enterprise, there are some 41,000,000 men between the ages of 16 and 64. In addition, there are millions of women who can be used for war or essential nonwar work. In the group exclusively available for civil enterprises, the Army tabulates the following: Twenty million women; 13,000,000 men, 45 to 64; 2,000,000 men, 16 to 18; and initially 13,000,000 men, 31 to 45.

A total of 48,000,000.

Do the American people know what is in store for them? Do they know that men and women—every one—will be at the command of this octopus? That is the way in which we are going to save democracy! That is the way in which we are going halfway around the world to fight, to save democratic institutions in this country. In other words, we will save them even at the cost of giving them up.

But there are those who say that this plan will keep down profits and equalize the burdens of war. This is pure bunk. Look at our past experiences, and see how much truth there is to such a statement.

#### WILL PRICE FIXING KEEP DOWN PROFITS?

What about price fixing in wartime? Does it not prevent undue profits?

Let me recite some of our past experiences in this regard. I quote from the report of the Munitions Committee, part 4:

On August 8, 1917, the War Industries Board offered the copper producers a tentative price of 22½ cents per pound for copper. This was refused, although the "copper emergency required immediate action necessary to secure a supply for our Government and our Allies."

The matter hung fire until in September the Federal Trade Commission reported that 97 percent of the production was costing the companies less than 20 cents per pound. The average cost was 13.6 cents, and important companies were producing for 7 and 8 cents. Under these circumstances the price of 22 cents per pound, which the Board then suggested, was liberal, to say the least. Again the producers refused, holding out for a 25-cent price. Mr. Ryan, of the Anaconda Copper Co., a spokesman for the industry, stated that if the price was fixed at 22 cents, "it would be impossible to obtain the voluntary cooperation of the majority of mine owners." On September 21, a month and a half after the Government's first offer, the price was fixed at 23½ cents, which represented a splitting of the difference between the opposing views.

Even before war was formally declared, negotiations leading toward price fixing were begun with the steel industry. One Government official told Judge E. H. Gary, who represented the steel producers, that he thought the price for steel plates should be \$2.90. Judge Gary offered a price of \$3.50 in a letter to Secretary of the Navy Daniels, which the latter declined on the ground that the highest price heretofore paid by the Government was \$2.90. Mr. Baruch has stated that "almost immediately after the declaration of war" he got in touch with the steel people and found them insisting upon a price of 4½ cents a pound for ship plates. He "urged them not to insist upon that price because it was too high and unfair in the circumstances," but they were adamant. By June this obstinacy was "handicapping the work" of Government procurement very seriously because "the steel companies will not accept an order without a price." It was stated in the minutes of the General Munitions Board that "practically everything is held up because of the unsettled condition . . . and . . . the delay was seriously hampering the preparations for war." As late as August 6, Mr. Scott, Chairman of the Board, stated that he "did not believe Bethlehem [Steel Co.] would agree to accept only Army forgings at the prices agreed upon." Prices were finally fixed on September 24, 1917, at levels which permitted large profits even to so-called low-cost producers. As Judge Gary summarized the attitude of the industry, "manufacturers must have reasonable profits in order to do their duty."

I desire to read that statement again for the RECORD. Judge Gary said that—

Manufacturers must have reasonable profits in order to do their duty.

Judge Gary was not concerned with the Americans who were called on to do their duty by getting stuck with a bayonet, or hit with a piece of high-explosive shell, for a dollar and a quarter a day on foreign fields.

When asked by the chairman if there were more instances of this sort during the war, Mr. Baruch testified, "Yes, sir." (Munitions Report, No. 4, p. 37.)

Of course, there is no real control over business profits during wartime if the businessman wants to hold out for his price. The war must be won. Profit controls take second place.

Let me quote another section from the same report.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield to the Senator from California.

Mr. DOWNEY. The discussion of the able Senator from Missouri appeals particularly to me, because my mind operates along economic channels, but I should like to make this comment to the very able Senator:

This discussion so far has proceeded upon the assumption that with proper and legitimate action we might be able to keep down prices, and keep wages parallel to prices as they had been, but I should like to point out this fact:

Our military men are now envisioning an army of about 5,000,000 men for some indefinite venture. If we should put 5,000,000 men into the field, it would cost approximately \$2,000,000,000 a month, or \$24,000,000,000 a year to provide the war materials for them to blow away and to support them. Now, assuming that with that many million men in actual service the production of our wealth was about \$75,000,000,000 and, assuming that \$24,000,000,000 of that, or, say, \$25,000,000,000 was in war materials, which would be blown away and not consumed by anybody, we then would have given out \$75,000,000,000 worth of purchasing power to produce \$75,000,000,000 of wealth, but \$25,000,000,000 of that would not be consumed for humankind, but would be blown away, which would mean that there would be only \$50,000,000,000 of consumable wealth to allocate against \$75,000,000,000 of purchasing power.

That would mean, if there were the most advantageous price-fixing scheme possible in effect, that the \$50,000,000,000 worth of consumable goods would have to prorate with the \$75,000,000,000 of purchasing power, because twenty-five billion would have been blown away, and would not be available for the workers to consume.

I wanted to make this point to the very able Senator from Missouri, even assuming the most righteous and highly intelligent price-fixing plan under some regimenting dictatorship, which would virtually make us all serfs, assuming that, because of the fact that one-third of the wealth produced would be blown away, of course, there would necessarily be a tremendous increase in the price of the remaining wealth.

Then, with seventy-five billions of purchasing power to allocate against fifty billion of consumable goods, we are thrown into what is called a seller's market, the profiteers about whom the Senator is reading come into the picture, and instead of having a 50-percent increase in price, there would be 100-percent increase or 150-percent increase.

Mr. CLARK of Missouri. I thank the Senator from California. I do not have the slightest doubt in the world as to the entire accuracy of his prognostications on that subject, because it is inevitable from the circumstances of the case that there will be a seller's market. I think that when the World War was over, many of the industrialists of that time, even in spite of the enormous profits they made, were astounded at their own moderation, as some of them indicated before committees of which I have been a member.

Mr. DAVIS. Mr. President, will the Senator from Missouri yield?

Mr. CLARK of Missouri. I yield.



Mr. DAVIS. Would it not also naturally follow that wages would go up, prices would rise, and there would be the vicious circle again? And even the Budget would have to be increased.

Mr. CLARK of Missouri. I do not think there is the slightest question in the world, so far as the last war demonstrated—and I dare say the same situation will develop in the next war—that while the dollar return of labor rose, in view of the tremendous increase in the cost of everything the laborer had to eat and wear and everything he needed to sustain him, actually wages did not increase during the war, and actually wages will not increase in any war, in spite of the fact, based on the number of dollars, some of the laborers might receive a very high wage during the war, certainly much higher than the men in the Army receive. But the laborers had to support themselves, and the men in the Army did not. As the Senator from Pennsylvania has said, it is simply the start of the vicious circle again.

I wish to quote a little further from the report of the Munitions Committee:

These strikes by industry were an important feature of the last war. But the evidence reveals only occasional instances because, in general, industry got what it wanted without having to resort to any such drastic tactics. There was no occasion for it to strike. If the wartime controls should ever begin to bite rather deeply into profits, the use of this weapon would undoubtedly increase.

Apparently the Government could deal with these strikes by using its war power to commandeer. Actually commandeering is not an effective method of compelling industry to come to terms. Industry need not fear it because the courts have so interpreted the fifth amendment to the Constitution that commandeered companies are sure to be just as well off as if they had been let alone. In *L. Vogelstein v. U. S.*, the Supreme Court ruled that the company should be paid for its requisitioned copper stock at the liberal price fixed by the War Industries Board. In some cases a company may even find it an advantage to be commandeered. The court, in *U. S. v. New River Collieries*, permitted the use of export prices rather than domestic contract prices which were lower.

Even if commandeering could carry an effective penalty, the administrative obstacles in the way of its application on a large scale reduce its effectiveness as a means of compelling cooperation. Mr. Baruch stated before the War Policies Commission that he could not recall a single case of an important industrial concern being taken over by the Government, because the personnel was not available and "the mere process of change would destroy efficiency at the outset." The War Industries Board talked of commandeering the steel industry. Yet Mr. Baruch testified he did not know how commandeering would have been put into execution if the Board had tried to make good on this threat. Industry was aware of how highly improbable it was that the Government could get the personnel and create the organization necessary to operate a large number of plants all at a time when it was imperative to prevent a break in production. When the Board was talking of commandeering the copper industry, they were bluntly told by its representative, Mr. Ryan, that "it would be impossible to commandeer all of the small high-cost mines as there are such a great number."

Then we come to the case of the efforts of the Government to establish a powder manufacturing plant in Tennessee during one of the most critical times of the war. I quote again from the report of the Munitions Committee:

The War Department recognizes that the difficulties of commandeering are insuperable. It intends to "depend for enforcement upon the popular morale and collective patriotism."

When the Senator from Michigan [Mr. VANDENBERG] asked Colonel Harris, now General Harris, of the Ordnance Department, what the war plans provided as a means of dealing with a strike like that of the Du Pont Co., in connection with the Old Hickory powder plant during the war, Colonel Harris said:

As a matter of fact, whether we are right or wrong, we are counting on the cooperation of industry in our plans. Personally, I do not think we can fight a war unless we can depend on industry to meet us in fair agreements.

It has been shown that the Government cannot necessarily get a fair deal from industry by depending upon voluntary cooperation. Yet it has no other alternative (Munitions Report 4, pp. 38-39).

Industry holds the whip hand, and industry makes the most of it by refusing to supply what the Government needs unless industry's price is met. If the Government objects to a price set by industry, industry may go on quiet strike, as in the last war. Here is an illustration of how a strike by

industry works. I again quote from the Munitions Committee Report, pages 35-36:

During the World War industry struck in connection with Government procurement.

The War Department became convinced that there was desperate need for vast additional powder-manufacturing capacity in the fall of 1917. The Du Pont Co. by its own admission controlled "about 90 percent of the smokeless powder producing capacity of the United States." It had constructed the large plants from which the Allied Governments had been supplied during the period of our neutrality.

Incidentally, it made enough profits out of that manufacture to buy control of one of the largest industries in the United States, namely, the General Motors Corporation.

I quote further from the report:

So it had practically a monopoly of the construction and operating experience necessary for the contemplated plant. Naturally the Government turned to this company for assistance. It could not do otherwise. Yet for 3 months the building of this powder factory was delayed because the Du Pont Co. would not accept the liberal contract terms offered it. When asked about the critical character for the prosecution of the war for the period when this delay occurred, Lieutenant Colonel Harris testified:

"It is hard to say which was the most critical time of the war, but that was a very critical time."

The Government offered to pay "every dollar of expense," to advance \$1,000,000 on account of profit, and to pay additional profit as determined by arbitration. This was rejected by the company's board of directors upon the recommendation of Mr. Pierre du Pont. He wrote that, " \* \* \* we cannot assent to allowing our own patriotism to interfere with our duties as trustees" for the stockholders. At the time, he was one of the 10 largest holders of the company's common stock.

The Government threatened to build the plant itself, but it had no real alternative to accepting the terms of the du Ponts. A man was appointed to undertake the work who apparently had no prior experience in powder manufacture. The Du Pont Co. refused to cooperate in assisting the Government effort. Finally a contract was signed under which the Du Pont Engineering Co., a wholly owned subsidiary of the Du Pont Co., built the Old Hickory Powder Factory without risk to itself and made a profit on operation of the plant amounting to \$1,961,560. If the war had continued the profit per year would have been about \$15,000,000.

In November 1917 the Ordnance Department wished to place an order for powder to be manufactured in a certain plant of the Aetna Explosives Co. According to the minutes of the War Industries Board, the company "refused to operate this plant unless they received an order at over 64 cents per pound which was 15 cents higher than the price being paid the Du Pont Co." The Board approved a contract for powder with the Hercules Powder Co., at what it considered "a high price" for the reason that "it was either necessary to pay the 70 cents per pound or go without this powder" (Senate Munitions Report No. 944, part 4, pp. 35-36).

Note that in 1937, when Senate bill 25, a measure supposedly aimed at the prevention of profiteering in time of war, was before the Senate Military Affairs Committee, the War Department sent a representative to the Capitol to support the bill. This bill, Senate bill 25, Seventy-fifth Congress, first session, contained the essential powers needed by the War and Navy Departments to put the mobilization plan into operation in time of war. The two Departments were in general support of the measure.

In a letter to the Senator from Texas [Mr. SHEPPARD], dated March 10, 1937, and inserted in the report on the bill, page 14, Secretary Woodring said:

The bill as a whole is favorably considered by the War Department.

Secretary of the Navy Swanson, in a letter to the Senator from Texas, dated March 11, 1937, said:

This bill, if enacted into law, would go far toward strengthening the hand of the President in any national emergency, and greatly assist in the orderly mobilization of the industrial forces of the country in the support of the armed services, insure that the interests of the civilian population are properly taken care of, and make the transition from peace to war and back again far easier, avoiding many of the tragic economic and social consequences of the last war (p. 17, S. Rept. on S. 25, 75th Cong., 1st sess.).

This bill represented the views of the two Departments. Let me read from the minority report on the bill which the Senator from Minnesota [Mr. LUNDEEN] and the Senator from North Dakota [Mr. NYE] submitted on May 6, 1937:

Is capital called upon to sacrifice sufficiently to warrant calling upon labor to sacrifice so greatly as is proposed in this bill?

All statutes standing in the way of wartime procurement are to go. I take it this may mean the National Labor Relations Board Act and State minimum wage and hours laws.

Mr. President, I may say in connection with what the Senator from Minnesota and the Senator from North Dakota said in the minority report, that it is clearly demonstrated in the Cherne analysis of the War Department mobilization plan that the various State and Federal laws with regard to hours of labor and with regard to the conditions of labor for women and children are to be wiped out under the mobilization plan.

The minority report continues:

The War Department representative has told us frankly that even the Comptroller General is to be regimented. Under a really determined Executive, every labor union in the Nation could be broken up, exactly as Hitler has done.

Even as the bill stands, without the addition suggested by Mr. Baruch and the War Department for further language specifically fixing wages, wages can and will be fixed under this bill. The President is allowed to fix "compensation." That certainly means wages. The Walsh-Healey Act is specifically slated to go, according to the War Department. Doubtless the Vinson Act, attempting to hold down naval shipbuilding profits to 11 percent, will be another victim of the war.

Is capital called upon to sacrifice as much as labor under this bill? There is no evidence of it. The equivalent of depriving labor of unions, of the right to collective bargaining, would be to deprive capital of the right to a fair return for its services—which is not remotely attempted in this bill. Practically every witness has pointed out that capital must have what it wants or the successful conduct of the war will be slowed down and jeopardized (Rept., S. 25, p. 24).

Again referring to the same report, let me read another section:

This bill is a bad bargain for the boys who will, under it, be sent abroad. They get no real assurance that profiteering is abolished or that democracy is saved in the very country which proposes, in this bill, to send an army overseas, supposedly again to save the world for democracy.

It is a bad bargain for labor unionism. Unionism takes the risk of death.

Under certain types of Presidents this might even, although barely conceivable, be a bad bargain for capital. At present, of the three groups, capital stands to lose least (Rept., S. 25, p. 28).

That was in 1937. I cannot distinguish any real essential difference between the industrial mobilization plan before us then and that which is in the files of the War Department for use today.

The same powers, the same gaps are apparently in the present plan—the 1939 version—if we are to believe Mr. Cherne's book, which must have been read by the Assistant Secretary before he wrote the foreword to the volume.

Mr. President, I might stand on the floor of the Senate the remainder of the session attempting to analyze the industrial mobilization plans of 1935, 1936, and 1939. It is possible to make distinctions between the specific provisions of those various industrial mobilization plans, but essentially they are the same, with the same ugly lineaments designed to set up a dictatorship in this country immediately we have gone into war. I wish to repeat what I said in the beginning, that I am not criticizing anyone for trying to bring about a dictatorship when we go into war, because admittedly and concededly a dictatorship is much more efficacious and efficient for the conduct of a war than is a democracy. But I am trying to point out to the people of the United States what they are heading into when they permit themselves to enter upon any course which may result in our drifting into war. Now is the time to stop it. Now would be a fine time to stop all inflammatory talk about the possibility of our being dragged into a war. Now would be a splendid time to practice real neutrality.

Mr. President, I cannot refrain again from referring to some of the things that have already gone on tending to show an absolute lack of neutrality on the part of the Government or of some of those in high position. I refer again to the Executive order providing the emasculation of the merit system throughout the whole civil service of the United States, wherever it may be construed to apply to preparedness or neutrality, which is a definition sufficiently large to apply to nearly every section of the whole civil service. I

refer again to the Executive order of the President in which he transferred the authority over the Panama Canal from the Governor of the Panama Canal Zone to the commander of troops in the Canal Zone, referring in his Executive order to a section of the statute which only gives him authority to make that change in the event of a state of war in which the United States is engaged or when war is imminent.

I refer again to the various inflammatory remarks emanating from the War Department—officials of the War Department going around interviewing draft boards, setting up draft machinery, when at the present time we do not have a quarrel of any serious nature with any nation in the world.

Mr. President, I refer to the action of the President on yesterday, being present at a service, having his picture taken with the pastor who had been praying for the triumph of the King of Great Britain over all of his antagonists.

I pray for a real neutrality. It does not make any difference where the sympathies of any individual may lie in this controversy abroad. We all have sympathies, but I do say that every step which is taken in an official capacity—every step showing partiality on the part of the Government or its high officials, brings us simply one step closer to war, and I have taken the trouble to stand here on the floor today and in a more or less tedious way to read some of the provisions of this industrial mobilization plan to demonstrate what we are heading into if ever we do let our sympathies lead us into the war.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. BARKLEY. I read the article in the newspaper this morning and I saw the picture of the President at Hyde Park in connection with the incident yesterday when the pastor of the church prayed, I suppose, from the Episcopal prayer service.

Mr. CLARK of Missouri. From the Canadian Episcopal prayer book.

Mr. BARKLEY. From a Canadian Episcopal prayer book. Probably he used it—I do not know about that—in part of the service.

Mr. CLARK of Missouri. So the article stated.

Mr. BARKLEY. Does the Senator really seriously think there is any significance attached to an incident of that sort, or that the President of the United States knew what the pastor of that church was going to pray, or from what book he was going to read?

Mr. CLARK of Missouri. I certainly do not want to impose the duty on the President of the United States of getting up and walking out of the church during the prayer. But the news of it went out to the civilized world, and after the incident, to have the President have his picture taken with the pastor glancing at this prayer book which had been presented by the King and Queen does not add anything to our general reputation for impartiality and neutrality in that connection.

Mr. BARKLEY. Probably no more than pictures taken of opposing Senators here after they have lambasted each other on certain issues, and then have pictures taken showing that after all, while they denounced each other on the floor of the Senate, personally they had no objection to having their pictures taken together.

Mr. CLARK of Missouri. I agree with what the Senator has to say about that. However, I suggest to all concerned, from the President down, that at a time like this, instead of reading from the King of England's prayer book, that we should go down and look at the old prayer book that reposes in the cellar of the oldest Protestant church in the United States at Williamsburg, Va., in which was printed in large type, "God save the King," and the old pastor of the church at the time of the Revolution struck that out, and in place of it there is written in with a pen, "God save the President of the United States."

Mr. BARKLEY. I think it would be better if we did a little praying ourselves on our own responsibility, and not depend so much on prayers made by other people.



Mr. CLARK of Missouri. I agree, and I shall be glad to join with the Senator.

Mr. BARKLEY. I shall be glad to make a date with the Senator now, because I think the Senator needs it.

Mr. CLARK of Missouri. I think the Senator needs it more than I do.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. DOWNEY. I wish to say to the able Senator from Missouri that I know I am personally in accord with him, and I think most other Senators are. That another military adventure in Asia or Europe would throw us into the clutches of a dictatorship in which we might be involved for an indefinite period. I ask the Senator from Missouri, because of his wide knowledge of military affairs, is he of the opinion that a purely defensive war by the United States against any combination of powers that we might reasonably expect to be brought against us would involve such an effort that we would require this sort of a dictatorship?

Mr. CLARK of Missouri. Mr. President, that is the point I was trying to make. I am certainly very clear that a defensive effort on the part of the United States on our own ground, with our Navy based on Hawaii, in defense of our own ground, would not require any such effort as outlined in this plan against the whole world combined. I do not believe that there is any nation or possible combination of nations that could come over and successfully attack us on our own ground, assuming that we reasonably maintain the Army and the Navy and the air force of the United States.

I can say in that connection that we have been spending a good deal more than any other nation in the world for the purpose of maintaining this armed force, and if we do not have the best Navy and the best Army in the world we ought to have an investigation to find out what has been happening to the billions of dollars that have been appropriated.

Mr. DOWNEY. Mr. President, will the Senator yield further?

Mr. CLARK of Missouri. I gladly yield.

Mr. DOWNEY. I take it, then, that the Senator from Missouri is very much in agreement with the Chief Executive of the United States who, when he was Assistant Secretary of the Navy, stated that a conflict of any importance between Japan and the United States was physically impossible because of the 5,000 miles of water between them?

Mr. CLARK of Missouri. Mr. President, I do not think there can be the slightest possibility of doubt about the accuracy of President Roosevelt's statement at that time. It is universally agreed among naval experts—at least those whose statements I have read—that successfully to conduct naval warfare five or six thousand miles from home it is necessary to have some bases and a preponderance of at least 3 to 1.

Mr. LEE. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I will yield in just a moment.

We have no such preponderance over Japan. It is not probable that in the immediate future, or even the remote future, with the differences in cost of production here and in Japan, we shall have a preponderance of 3 to 1 over Japan. Therefore we should be starting a war at a very great disadvantage if we should undertake to conduct a war in the Orient. On the other hand, Japan certainly has nothing even approximating equality, much less a preponderance of 3 to 1 over us; and she would have to pass the strongest naval base in the world at Pearl Harbor to get over here against a very strong Navy on our part based in the United States. The danger of Japan attacking the Pacific coast or any other part of the United States is perhaps the most ridiculous assumption that has been advanced in many years.

Mr. LEE. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. LEE. Is it not true that the oceans have become smaller since that statement was made? So far as I am concerned, I should like to have the isolationists get out some ocean stretchers and stretch the oceans. They are becoming too small for comfort in the light of modern inventions,

Mr. CLARK of Missouri. It is entirely true that transportation has been expedited and the time of travel shortened; but no one has yet suggested any way in which a surface fleet, a submarine fleet, or an air fleet of any power in the world could come over in sufficient force to attack the United States of America.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. CHAVEZ. We do not see any Germans landing in England, and we do not see any English landing in Germany. We are 3,000 miles from there. Is it likely that we shall be attacked?

Mr. CLARK of Missouri. The question of the Senator from New Mexico reminds me of one of the famous maxims of Napoleon, possibly the greatest military genius the world ever saw. Hitler may be thinking about it at the moment. At one time some of Napoleon's generals told him that they were working on a scheme to try to land an army in England. Napoleon said that so far as he was concerned he was not interested; that he had figured out seven different schemes for landing an army in England, but that he had never been able to figure out one for getting his army out of England.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. DOWNEY. For 2 or 3 years Japan has been throwing its tremendous striking power into China. I believe the Senator from Oklahoma [Mr. LEE] will agree that the Chinese people do not have 10 percent of the striking or defensive power of the American people; and yet, as the Senator from Missouri knows full well, Japan is only a few hundred miles from the mainland of China and, according to authorities, is now almost destroying itself in attempting to conquer those people, almost within a stone's throw, infinitely weaker, with probably not as much military strength as the State of New York alone, or the State of California alone.

Mr. NYE. Mr. President, I recognize that there exists some little feeling that there is a desire on the part of some Senators unnecessarily to delay the hour when the Senate can reach a decision with respect to the joint resolution which is now pending. For my own part, I have no such desire whatsoever; and I know of no other Senator who desires that there shall be unnecessary delay.

I am delighted that there has been insistence on the part of the Senator from Missouri in making clear—or clearer than it has been made—the record relating to the industrial mobilization plan. There are other considerations in the exploration of the general subject matter before us to which the Senate could well afford to devote hours and days; but I have no desire unnecessarily to delay the decision which the Congress is being asked to make.

Mr. President, I rise at this time solely for the purpose of giving such answer as I am able to give to three or four of what I consider to be the most preposterous representations to which I have listened in my 15 years of service in the Senate of the United States. I have been amazed at some of the reasons which have been presented for the repeal of the arms embargo. I have been amazed at the will of some men to turn their backs completely upon the record of facts and devote themselves to guesses as to what might or might not be the result in the event of certain circumstances arising. I have heard Senators rise and ask, "What proof is there that England wants the arms embargo repealed?" There is only one answer to that question: What evidence is there that England does not want the arms embargo repealed?

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. CONNALLY. What evidence is there that Hitler does not want it repealed?

Mr. NYE. None whatsoever.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. BARKLEY. There was a big celebration in Berlin last summer when it was discovered that the arms embargo was not to be repealed at that time.

Mr. NYE. I do not care how many celebrations may be held in Berlin, Moscow, Rome, London, or Paris. There is

one thing I wish the Senate of the United States would realize and that is the importance of abandoning any interest in what foreign nations have to say and what they are thinking and remembering a little more about what our real interests in the United States are.

Mr. BARKLEY. Mr. President, will the Senator yield further?

Mr. NYE. I yield.

Mr. BARKLEY. I thoroughly agree with that statement; but the Senator provoked this colloquy by bringing in Great Britain and referring to what she wanted or did not want.

Mr. NYE. The question has been raised, and the answer has been given. The question has been asked, What proof is there that England wants the arms embargo repealed? I say that not a soul in the United States is laboring under the impression that England does not want it repealed.

Mr. BARKLEY. So far as I am concerned, Mr. President, I am not interested in what England wants or does not want, or what Hitler wants or does not want. We can argue much on both sides as to what each of the belligerents would like. As Artemus Ward once remarked, "One man has as much human nature as another, if not more." I suppose the same statement is true of a nation. We might assume that Great Britain and France prefer to have the embargo repealed, and we might assume that Hitler and Germany do not want it repealed. I do not want any Member of the Senate to be actuated by the desire of either side as to what we shall do with the embargo and the neutrality law. I certainly am not actuated by any desire on the part of either side.

Mr. NYE. Then the Senator and I have everything in common.

Mr. BARKLEY. Not everything. We have that much in common.

Mr. NYE. We have at least that much in common.

Mr. BARKLEY. Yes; not everything.

Mr. NYE. Very well.

Mr. President, today we see scores upon scores of planes which have been produced since the arms embargo went into effect being moved to points where they can be quickly transported to England and France, where they are wanted, as soon as we shall have accomplished repeal of the arms embargo. Within the past 48 hours eminent Englishmen have arrived to add their numbers to the already large number who since last spring have been busily engaged for months in contacting educational institutions and other influences throughout the land, building up sympathy, building up sentiment, all of which, they seem to hope, might culminate in the repeal of the arms embargo, which they of necessity look upon as being a step which will accord the favor of the United States to their side, at least to the extent of whatever commercial relationship can exist during the conduct of their war in Europe.

Mr. President, I have heard very direct and very emphatic representations that our dependence upon the British Fleet and the continued existence of the British Empire are very essential to our own well-being in the United States and to the defense of the United States. Last night, in a period on a national broadcasting chain, I devoted myself to a discussion of the question of the embargo and national defense. In the interest of saving the time of the Senate, I ask unanimous consent that this address may be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. CHAVEZ in the chair). Without objection, it is so ordered.

(See exhibit A.)

Mr. NYE. It would be laughable, if the consequences were not so serious, to listen to the representations of Members of this body who have risen in their places and pleaded that they thought that when the arms embargo was enacted in 1935, 1936, and 1937 its purpose was to prevent war in the world. That is why they voted for it; and in the light of that representation, because there has been war, the law is a failure.

Mr. President, there is not a man who can point to a single line in the CONGRESSIONAL RECORD, starting in 1935, where any Member of Congress represented that it was our purpose,

through the neutrality law, to try to prevent war in the world. Instead the whole argument reveals that every Member of Congress who spoke his mind upon the subject recognized there would be war in Europe again, and they were writing the neutrality law and giving their support to it to the end that the United States might succeed in staying out of that war. But now one Senator after another comes forward and pleads that the law has failed because it has not prevented war; that it has failed to accomplish that which it was never intended to accomplish. I may come back to that record that was made in 1935, 1936, and 1937 later in my argument this afternoon.

Mr. President, I have been perplexed, dumbfounded, at the representation that has been made in the Senate to the effect that the munitions trade and the credit and financing end of it played no part in influencing American consideration to an extent affecting our entry into other people's wars. I have witnessed men turn their backs upon page upon page of thoroughly established writings, revealing not that the munitions makers took us to war, but revealing clearly that the munitions trade, the war trade, and the necessity for financing that trade, were basic to a larger consideration that ultimately had the United States tramping straight into a war, even, Mr. President, at a time when men were standing in their places and saying, "We are not going to war; we should like to see them drag us into their war over there; we want none of it; we will stay out of that war." Let no one be concerned about that.

The war mothers of another day, while being assured, day after day, by men who stood at their places in Congress that we were not going to war, the same mothers who today are Gold Star Mothers are being assured again we are not going to enter the European war and, being thus assured by men who wholly in their hearts believe what they are saying, who believe that we can repeal the arms embargo without jeopardizing our security and without weakening the chance that is ours to stay out of that European conflict. I would say, if I had to say it to myself, that none of us here knows what he may have to do in certain eventualities. I like to believe that under no circumstances will I ever cast a vote here that will move the son of a single American mother across the Atlantic or across the Pacific to engage in other peoples' wars, but at the moment I can see the possibility of eventualities which might make my position exceedingly embarrassing; and I say that if we will retain the arms embargo, supplement the arms embargo with a thoroughgoing cash-and-carry provision, and strengthen our neutrality law in other respects, we will have a much greater prospect of avoiding participation in that conflict abroad than would otherwise be the case.

It is contended that the munitions trade and the bankers' interests played no part in the considerations leading to our entry into the European war in 1917. What man who has access to the record of facts can honestly and consistently contend that our war trade played no part in our entry ultimately in 1917 into the European war?

Mr. President, on October 13, a week or so ago, I addressed the Senate on the relationship between our foreign policy from 1914 to 1917 and our huge war trade with the Allies which developed during those years. I spoke of the effect of the involvement of our industrial and financial machine with the cause of one set of belligerents on certain of our neutrality policies enunciated early in our period of neutrality. I indicated the way in which the growth of the munitions trade and the general war trade with the Allies, and the necessity of financing such trade, if it was to continue, affected our foreign policy. I quoted from our highest officials at that time to the effect that once we had allowed such a huge war trade to develop we could not refuse to finance it without disaster to ourselves.

My remarks were based on the documentary record of those years, a record which I insist speaks for itself; a record which those who have tried to answer have ignored completely. That record cannot be and has not been controverted. The documents introduced here by myself and others came from the records not of the Munitions Committee but from the records and files of our own Department of State, from the



files of J. P. Morgan & Co., who were the commercial and financial agent of the Allies during the World War; the documents and records came from the files of the Federal Reserve Bank of New York City and from the files of the Federal Reserve Board. Those documents, I insist, Mr. President, are real. No one has represented them or contradicted them as being otherwise than real. They, and not the undocumented assertions by Members of this body, are the record; and until they are controverted they remain the record. When in future years historians turn back to the pages of this debate and observe from the RECORD the undisputed facts which have been laid down and then note that in spite of that record of facts the Senate blindly turned its back upon the proven facts and did the thing that experience dictated so clearly it should not do, they will have cause to wonder about the considerations that moved men in this hour. Those records can neither be tossed off lightly or laughed out of existence, much as certain gentlemen might want to attempt to do that. Long after their undocumented remarks are forgotten the record will be remembered. Not a single Senator who has attempted to refute my address on our financial and industrial involvement in the years from 1914 to 1917 has yet challenged the basic documentary proof contained in the letters and memoranda of various of our highest officials in 1914, 1915, 1916, and 1917, which have been inserted in the RECORD by myself and by other Members of this body.

The majority leader of the Senate, the very able and distinguished Senator from Kentucky [Mr. BARKLEY], in his address before the Senate a few days ago quoted from an article by Newton D. Baker, a former Secretary of War, in which Mr. Baker stated that he had never had a conversation with a banker while he was a member of the Cabinet from 1916 to 1921. Note those dates, Mr. President—1916 to 1921. Well, the important change in our policy regarding credit to belligerents took place not in the years from 1916 to 1921 but took place in October 1914; and the important change in our policy respecting loans to belligerents took place not from 1916 to 1921, but took place in August and September 1915, long before Mr. Baker became a member of President Wilson's Cabinet.

In the matter of correspondence and conferences on the part of certain bankers and, at different times, certain high officials of the State Department, Treasury Department, Federal Reserve Board in 1914, 1915, and 1916, on the subject of credits and loans to the Allies, I refer the Senate, in addition to the documents inserted in the RECORD on October 13, to the Senate Munitions Committee report, part 6, pages 19, 21, 39 to 42, 44 to 46, 50 to 52, 106, 121 to 123, 129 to 132, and to the committee hearings, parts 25, 26, 27, and 28.

Mr. President, I care not what may be the individual reaction of individual Members of the Senate or of any other person to the work that was done by the Senate Munitions Committee; I care not where they may want to place blame or credit; I care not how much they may want to criticize the work that was done; but I do have reason to believe that for generations to come the work which that committee performed, participated in industriously by seven Members of the Senate, will stand the test of time and serve constantly as a warning to America as to what not to do and what to do in some respects when we are again challenged from abroad.

Mr. LEE. Mr. President—

Mr. NYE. I yield to the Senator from Oklahoma.

Mr. LEE. Let me say that the personal opinion of this one Senator is that the Munitions Committee did a fine job, and it was very wholesome to have the light turned on the unconscionable profits which were made during the war.

While I am on my feet, let me remind the Senator that when the fine work of that committee had not been finished, and the committee came back to this body and asked for more money to continue the Senate munitions investigation, this body did not grant the money, but the President of the United States himself secured the money from another department of the Government and made possible a continuation of the fine work of the committee.

Mr. NYE. Mr. President, I have always appreciated the thorough good will of the Senator from Oklahoma toward the Munitions Committee; but I have no recollection at the present time of the President ever rallying to the assistance of the committee to the extent he has stated. We have always gotten from the Senate the money we asked for from the Senate. If the Senator is trying to say, as I think he means to say, that the administration, through the President, loaned its agencies of government to the use of the committee during the investigation, he is quite right.

Mr. LEE. W. P. A. money was spent for work through W. P. A. employees to continue the work of the committee.

Mr. NYE. That is correct; but never was it a case of dependence upon W. P. A. to continue or to prosecute further the investigation which was being made.

Mr. CLARK of Missouri. Mr. President—

Mr. NYE. I yield to the Senator from Missouri.

Mr. CLARK of Missouri. What the Senator from North Dakota says is perfectly correct. It is true that during the progress of the munitions investigation the President at various times very generously and wholeheartedly put the assistance of various agencies of the Government at the disposal of the Munitions Committee. For instance, at times we borrowed some experts from the Interstate Commerce Commission; we borrowed some experts from the Navy Department and the War Department by the President's order, and certain clerical assistance was put at our disposal as a W. P. A. project. It is not true, however, that we ever came to the Senate and the Senate refused to provide any necessary funds, and that thereafter the President provided them. I merely want to keep the record straight.

Mr. LEE. The Senator is correct in that statement. I remember, however, that when the question was considered, and there was discussion about it, while of course the decision was not actually made, there was considerable talk to the effect that it might not be possible to continue to supply the necessary funds; at least, I heard that said. It is true that the President did cooperate in every way.

Mr. CLARK of Missouri. The President at all times cooperated wholeheartedly in the munitions investigation.

Mr. NYE. That statement is never going to be disputed.

Mr. CLARK of Missouri. And he put at our disposal documents and clerical assistance which we could not have secured in any other way.

Mr. NYE. That is quite correct.

Mr. BYRNES. Mr. President—

Mr. NYE. I yield to the Senator from South Carolina.

Mr. BYRNES. The Senator, however, as chairman of the Munitions Committee, will state that the resolution of the Senate authorized the departments to furnish those employees to the committee.

Mr. NYE. That is true.

Mr. BYRNES. I do not want the President charged with that responsibility.

Mr. NYE. Mr. President, returning now to the insistence of some of our leaders that war trade, bank credits, and bank loans were playing no part in the consideration which had put us on the road to war in 1914, 1915, 1916, and early 1917, let me say to those who refer to the nonexistence of a sizable munitions industry up to the time of our going to war in 1917—as Mr. Newton D. Baker has insisted and been quoted, apparently with approval, by the senior Senator from Kentucky [Mr. BARKLEY]—that I must, even though it necessitates going back briefly over some old ground, demonstrate that there was a munitions industry in this country before we went to war. I must insist that that munitions industry was sizable, and that its conduct before we went to war was such that it was not ready to respond to the needs of the United States Government when we did go to war.

The Du Pont Co. stated that their war orders for explosives alone from September 1914 to December 1915 were \$343,000,000 worth. Is anyone going to argue that that was an insignificant trade? Why, a Du Pont annual report stated that the Du Pont output was 40 percent of the amount of propellant explosives made throughout the world for the

Allies during the war. Is an industry that can produce 40 percent of the total output of propellant explosives an insignificant industry?

During the years 1915 to 1918, inclusive, the Du Pont Co. paid dividends which add up to 458 percent on the par value of its original stock; but men will rise and say that we had no munitions industry of any import prior to our entry into the World War—no industry so sizable that its well-being might have a tendency to lead a country, quite unconsciously, but lead it nevertheless, on into a war that was none of our business.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. NYE. Just one moment, and I will gladly yield.

In contrast, Mr. President, to this percentage of dividends that the Du Ponts were paying in that period, pre-war earnings of the Du Ponts had been 10 percent in 1911, 11½ percent in 1912, and 12.8 percent in 1913. The then president of the Du Pont Corporation explained their situation in 1916, and I quote him:

If the war had ended, we would have been in a bad condition.

He was explaining that they would at one time have had to return \$100,000,000 to the Allies.

I now yield to the Senator from Texas.

Mr. CONNALLY. Mr. President, did I correctly understand the Senator to say a while ago, in effect, that the munitions makers led us into the war?

Mr. NYE. No.

Mr. CONNALLY. Would the Senator mind having the Official Reporter repeat what he said on that subject?

Mr. NYE. Mr. President, I am so sure I did not say that that I am not going to stop to quibble about it now, but if the Senator will get the transcript of the remarks and point to anything that even alluded to that, I shall come back to it.

Mr. CONNALLY. If the Senator will further yield, I will state what I understood the Senator to say. He referred to the \$400,000,000 profit that the Du Pont Co. are supposed to have made from their war business, and I do not challenge that statement. He then said that it was accompanied with so much profit that he would not be surprised if it had unconsciously, so far as the people were concerned, led us into war.

Mr. NYE. No; I did not say that, Mr. President.

Mr. CONNALLY. Has the Senator ever charged that the munitions makers got us into the war? Does he make that charge?

Mr. NYE. Mr. President, I understand precisely what the Senator is getting at.

Mr. CONNALLY. I am glad the Senator does.

Mr. NYE. I am going to come back to that subject. If the Senator will pardon my stepping beyond it at the moment, so that I may make a connected argument on the extent of the munitions industry at that time, I shall be happy to come back and meet what some are so eager to charge has been a representation on my part that it was munitions makers and bankers who took the United States into the World War in 1917.

Mr. CONNALLY. Regardless of whether there was a big munitions outfit or a little one or a medium-sized one or an inconsiderable one or a giant one, does the Senator now charge, and has he ever in the past charged, that the United States was led or forced or induced to enter the World War by the munitions manufacturers?

I should like to have a categorical answer to that question, and then the Senator may proceed.

Mr. NYE. Whatever approximating that the Senator from North Dakota has said has been that the war trade and the credit and loan interest has assumed proportions that were basic to the building in the United States of an economy that ultimately became dependent upon a continuation of that war. I am going to come back to that subject. I plead with the Senator to wait until I can conveniently do so.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. NYE. I yield to the Senator from South Carolina.

Mr. BYRNES. Did the Senator state that no member of his committee had said that the bankers and munitions

manufacturers were responsible for influencing our entrance into the war?

Mr. NYE. Will the Senator repeat his question?

Mr. BYRNES. I say, did the Senator state that no member of his committee had made the statement that the bankers and munitions manufacturers were responsible for our entering the war?

Mr. NYE. I think I have made that statement. If I have not made it, I should be inclined to make it right now. [Laughter.]

Mr. BYRNES. The Senator, in a radio broadcast which is in the CONGRESSIONAL RECORD, and which he is supposed to have made on May 27, 1935, is quoted as saying:

Did the American people know that they were fighting to save the skins of the bankers who had coaxed the people into loaning \$2,000,000,000 to the Allies?

The Senator said that; did he not?

Mr. NYE. Yes; but I wish the Senator would read in entirety what was said before and after that particular declaration. It might make a difference.

Mr. BYRNES. I do not have it here, or I should be glad to do what the Senator suggests.

In a radio broadcast on August 27, 1935, the Senator is quoted as saying:

The bankers—particularly the Morgan firm—finally grew fearful of their position. Today the record very clearly establishes the fact that because of these bankers and munitions makers our declared neutrality of 20 years ago was only a dream.

The Senator is quoted as having said, this month:

Much has been said about our financial and industrial involvement with the Allied cause as the underlying reason for our going into the war in 1917. However, what is meant by this term is not always clear. I have heard men make impassioned speeches to show how impossible is the thought that a great country such as ours could go to war to protect the profits of munitions makers and the risky loans of bankers. I could make such a speech myself. No such thing ever happens. I know of no responsible person who ever said or thought that this country went to war to protect Du Pont's profits or Morgan's loans.

Because the quotations from the two speeches are in conflict—

Mr. NYE. I insist they are not in conflict in the least.

Mr. BYRNES. What I wanted to ask the Senator, if he thinks they are not, is whether he would give the Senate his explanation of the difference; and I am asking only because there appears to be a direct conflict.

Mr. NYE. Very well; in a word I say to the Senator from South Carolina that if we had not developed that wartime trade during our days of neutrality—and we could not have developed it except that American bankers were ready to underwrite it, and did underwrite it to a point where they utilized all of their own credit—the United States might never have been challenged, as it was ultimately challenged, to go the steps further—which it did take—steps which ultimately took us straight into the European conflict.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. NYE. Not yet. If there is any Member of the Senate who feels that any other Senator has done an injustice to the munitions makers, I think I can cite him to a representation in the Senate which did not make a very good case for the munitions makers, and I wish to read it. This language was read from the desk in the Senate one day:

The private and uncontrolled manufacture of arms and munitions and the traffic therein has become a serious source of international discord and strife. \* \* \* The peoples of many countries are being taxed to the point of poverty and starvation in order to enable governments to engage in a mad race in armaments which, if permitted to continue, may well result in war. This grave menace to the peace of the world is due in no small measure to the uncontrolled activities of the manufacturers and merchants of engines of destruction.

The date of that word read to the Senate was May 18, 1934, in the form of a message of the President of the United States to the Congress of the United States.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. BYRNES. I am not interested in the Senator's view of the munitions manufacturers. I am interested in his view



as to whether or not his statement can receive any construction other than that the Morgan firm finally grew fearful of their position, and, because they were fearful, they influenced the Congress of the United States to vote for the war resolution?

Mr. NYE. Where is there any reference to the Congress of the United States having been influenced to vote for the war declaration?

Mr. BYRNES. The Senator knows that there could be no war resolution unless the Congress of the United States voted it, and that the Congress did vote it. I only wish to know whether the Senator charges that the Senator from Idaho [Mr. BORAH], the Senator from Virginia [Mr. GLASS], the Senator from California [Mr. JOHNSON], the Senator from Kentucky [Mr. BARKLEY], the Senator from Texas [Mr. CONNALLY], and the other Members of the Senate were influenced by Morgan & Co., bankers, or by munitions manufacturers, to vote for the resolution under which this Nation went to war.

Mr. NYE. Mr. President, the Senator's question hardly merits an answer. Certainly not.

Mr. BYRNES. Certainly not?

Mr. NYE. Certainly not.

Mr. BYRNES. If the Senator says that they were not, then Morgan & Co. and the munitions manufacturers had no effect upon the men who cast the votes and passed the war resolution.

Mr. CLARK of Missouri. Mr. President, will the Senator from North Dakota yield?

Mr. NYE. I gladly yield.

Mr. CLARK of Missouri. The statement of the Senator from South Carolina by no means follows, and the Senator from South Carolina is undertaking to create a wholly false issue. So far as I have ever heard, no one has reflected on any Member of the Senate or any Member of the House of Representatives. It has been pointed out that a situation which had come into being over a period of several years, prior to our entry into the war, partly by the Morgan manipulation of the exchange market, which changed our original neutrality position, and partly by the tremendous involvement of the United States, as pointed out by Ambassador Page, had created a combination of many elements, all of which, taken together, finally led us into the war. No one has ever reflected on the Senator from South Carolina, the Senator from Texas, the Senator from Idaho, or anyone else. I say that the remarks of the Senator from South Carolina are an attempt to inject a wholly false issue into the discussion.

Mr. BYRNES. Mr. President, will the Senator from North Dakota yield?

Mr. NYE. I yield.

Mr. BYRNES. The people of America know that the war resolution could not have been adopted except by a vote of the majority of Congress. If it is said that by any manipulation of Morgan & Co. or munitions manufacturers Members of the Senate and of the House voted for it, they voted for it either intentionally because of the influence of the manufacturers and Morgan & Co., or, as the Senator from Missouri suggests, because they did not have sufficient intelligence to understand the motives that were really actuating them.

So far as the Senator from South Carolina is concerned, I voted for the war resolution, not to make the world safe for democracy, not at the behest of munitions makers or bankers, but because the German Government, after continued protests from this Nation, continued to sink American ships, kill American citizens, and destroy American property. I voted as the people of America wanted the Congress to vote, to protect the lives and the property of American citizens whenever they are upon the high seas on peaceful mission bent.

Mr. CLARK of Missouri. Mr. President, will the Senator from North Dakota yield to one more interruption?

Mr. NYE. I yield.

Mr. CLARK of Missouri. As I have stated, no one has reflected, so far as I have ever heard, on the integrity of any Member of the House or the Senate who voted for the war resolution. Nevertheless, it is true that we now know a great many things we did not know 20 years ago. It is entirely possible that if the Members of the House and the Senate had known as much about the causes which led up to the war, and of the diplomatic processes which had been going on, as they afterward learned, they would not have voted for the declaration of war. Certainly it is not necessary, as a condition precedent to believing in the integrity of any Member of the House or the Senate in 1917, to assume that he has not learned anything in 20 years, and that his mind stopped operating on the day the declaration of war was adopted.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. BARKLEY. Not only in this debate, but for the last few years, the insinuation has constantly been made that the bankers and munitions makers were responsible for our entering the war in 1917. It serves no purpose to keep throwing out those hints and yet individually exculpate Members of the House and the Senate of any wrongdoing in connection with the war resolution.

It is neither true that those who were Members of Congress were wholly dumb during the period from 1914 to 1917, nor is it true that they were unacquainted with what was going on. Every diplomatic note, every representation made by the Government of the United States was made public. There was no secret diplomacy, so far as I know, between the State Department and President Wilson—

Mr. NYE. Is the Senator saying that every document was made public?

Mr. BARKLEY. I do not mean every document and memorandum and every conversation, but all the protests and representations which set forth our position during that entire period were made public. So that the Members of Congress were not altogether unaware of what was going on. They knew the history of the whole development, and I do not think it is fair to say that they were ignorant of the situation. But that is not the matter about which I rose to question the Senator.

Mr. NYE. If I may interrupt at that point, before the Senator goes further, what he has said is not in contradiction of anything I have ever stated.

Mr. BARKLEY. I am not saying that it is.

Mr. NYE. Very well.

Mr. BARKLEY. The Senator has mentioned the enormous credit and trade developed during the two and a half years from 1914 to 1917. Would the Senator be able or willing to tell us what percentage of that trade represented articles now included in the embargo?

Mr. NYE. That is my purpose here this afternoon, and the Senator will be pleased, I am sure, by the complete demonstration I shall make of just what part of our foreign trade was arms, ammunition, and instruments of war. I do not believe the Senator himself realizes how extensive that trade was.

Mr. BARKLEY. What I should like to ascertain, if it was so extensive as to have brought us into the war, is why it was that it took us nearly the entire period of the war, after we got in it, to develop an airplane; why it was that for most of the period of the war after we got into it we had to purchase our supplies from France?

Mr. NYE. I think I shall be able to show that to the Senator also.

Mr. BARKLEY. I hope the Senator will.

Mr. CONNALLY. Mr. President—

The PRESIDING OFFICER (Mr. MEAD in the chair). Does the Senator from North Dakota yield to the Senator from Texas?

Mr. NYE. I yield to the Senator.

Mr. CONNALLY. Much has been stated about what the Senator has not said or has said in the past, and what he did

not mean when he did say it. This is what he said today, according to the official reporter:

During the years 1915 to 1918, inclusive, the Du Pont Co. paid dividends which add up to 458 percent on the par value of its original stock; but men will rise and say that we had no munitions industry of any import prior to our entry into the World War. No industry so sizeable that its well-being might have a tendency to lead a country—quite unconsciously, but lead it, nevertheless—on into a war that was none of our business.

Now, let me ask the Senator—

Mr. NYE. Let me suggest to the Senator that there will be no revision of those remarks by me.

Mr. CONNALLY. Not now, because they are now a part of my remarks.

Mr. NYE. I meant just what I said; they will appear in the RECORD just as the Senator read them.

Mr. CONNALLY. The Senator denied that anyone led us into a war, but he said the munitions makers are so sizable that their well-being might well have a tendency to lead the country quite unconsciously into war. In other words, they would fool the country. The country would not know that it was being led. The country would be led unconsciously, but led nevertheless.

Quite unconsciously, but lead it nevertheless, on into a war that was none of our business.

Mr. NYE. Precisely, Mr. President, as a developed war trade today, with the repeal of the arms embargo, will lead the United States unconsciously, but lead it nevertheless, a little closer to the doors that are being opened for us to get into their war.

Mr. CONNALLY. What did the Senator mean, if he will yield further, when he said that in 1917 we were led "into a war that was none of our business"? Does he believe that it was none of our business that Americans were murdered on the high seas? Does he regard it as none of our business that ships which were sailing the seas engaged in their peaceful pursuits were sunk on the high seas not alone in violation of every international law but of every law of humanity? Does he mean that all that was none of our war or none of our business? Does the Senator mean that the present war is none of our business?

Mr. President, I think it is a shameless, a baseless, and an infamous thing that opponents of the embargo now, in order to seek to justify their present opposition, should smear all over with slime the record of America in entering the World War, and cast a reflection not alone upon the President and all the Members of the Congress, but upon every soldier and every marine and every member of the Navy, all the fighting forces that shed their blood and brought back in their wounded and maimed bodies the badges of honor and of service. I think it is infamous for the opposition to establish a basis or premise here by besmearing, vilifying, and defaming the record of the United States in the World War.

Mr. NYE. Mr. President, I shall never cease paying my respects to that part of America's manhood which, starting in 1917, rallied to the cause to which they gave their bodies, their lives, and offered their all. Never, never, never shall I cease paying respect to them. Nor shall I ever bring myself to believe for one moment that any Member of Congress in 1917 rose in his place and voted for a declaration of war for causes which we now conceive to have played a large part in moving us in the direction of war. Never will I believe that.

But, Mr. President, those boys who rallied, and that Congress which rallied, having rallied to the causes which were alleged, having lost every blessed one of those causes, without an exception, have a right to rise up in their places today and say, "Do not do that same thing with my son."

Why did we go into the war? The Senator said here this afternoon that it was because the Germans sank our ships and murdered our sailors. What was it that did the sinking? German submarines under the so-called unrestricted submarine warfare. The United States once had it in its power to stop that unrestricted warfare by simply prevailing upon England to abandon her unlawful blockade of Germany. Lord Grey said that their trade over here was of such importance

at that time that if we had put it up to Great Britain in that light—"No trade unless you abandon this illegal blockade"—Great Britain would have been obliged to give in, abandon her blockade as respects foodstuffs, and there would have been no unrestricted submarine warfare.

It was the unrestricted submarine warfare that took us into the World War. The submarine did it. Great men, students, learned men, men who occupy presidencies of great universities, are among those still insisting to this day that it was the submarine that took the United States into that war.

Mr. President, it has been noted time and time and time again in the RECORD, but once more let it be noted, that Germany and no other nation upon the earth could have had a submarine at that time except as the right to possess, the right to buy the patents, plans, and designs needed for construction of submarines, was made available to those that had the price to pay for them by an American corporation which made a stupendous fortune out of the business of arming all the world with submarines.

Our own American conceiving, our own American construction, men say to this day, was responsible for our entry into Europe's war.

I want a better reason than that, and the boys who were in the service want a better reason than that for having been called to make the sacrifice which they finally made.

Mr. President, I hope that that was not the purpose; but if the present interruption was intended to divert me and to drag me away from demonstration of the existence of a large munitions trade in 1914, 1915, 1916, and 1917, I want the RECORD at this point to make note that I have not lost that string, and I shall now come back to it to the extent, perhaps, of repeating a statement which I wish Senators, if they have not already done so, may fix in their own minds.

The president of the Du Pont Corporation explained in 1916 their situation in these words:

If the war had ended, we would have been in a bad condition.

He was explaining at the time that they would at one time have had to return \$100,000,000 to the Allies. Mr. Pierre du Pont stated:

We came into this war in 1917 with plants capable of making 400,000,000 pounds of powder annually in our own country. The annual report of the Du Pont Corporation in 1916 stated that the taxes in 1916 alone will aggregate an amount equal to 170 percent of our entire net earnings for the year 1912, in which year we had the largest earnings in the history of the company.

Mr. President, I may remark that this is slightly indicative of the keenest kind of growth, starting in 1914, of the munitions industry in this land.

The idea that there were no munition makers in America at the end of 1916 to the beginning of 1917 who profited from a continuation of the war, and who would have lost by its sudden close, is simply preposterous, and it is not believable that a Member of the United States Senate would rise in his place and so contend.

The following names of companies, and the types of munitions and material produced, are from exhibit No. 2156, beginning at page 7941 of the Senate Munitions Committee hearings, part 26. Mr. President, the table from which I am quoting was prepared from the J. P. Morgan & Co. records, and I am citing from it only arms, ammunition, and implements of war produced for the British Government by American companies in 1915 and 1916, for which payment was made by J. P. Morgan & Co., commercial and financial agency for the British Government during the war. No reference is made to the sales made to France; no reference is made to the sales made by other agencies than J. P. Morgan & Co. to England.

The Allegheny Steel Co.—and this is the information the Senator from Kentucky was so eager to have—was producing \$1,800,000 worth of shell forgings and shell steel for the British Government in 1916.

The Aetna Explosives Co. was producing \$1,300,000 worth of nitrocellulose powder for the British in 1916.



The American Munitions Co. was producing \$1,600,000 worth of fuzes for the British in 1915.

But that, Mr. President, was small potatoes, that was nothing by comparison with what other corporations were doing.

The American Can Co. was manufacturing \$32,800,000 worth of shrapnel shells for the British in 1915 and 1916.

The American Car & Foundry Co. was manufacturing \$30,000,000 worth of shells for the British in 1915 and 1916.

Oh, what a miserably insignificant trade was the trade in munitions.

The American Locomotive Co. was manufacturing \$94,000,000 worth of shells and fuzes for the British in 1915 and 1916. No munitions trade? It was insignificant. It was of no influence, no weight at all, prior to our entry into the World War.

The American Steam Gauge Co. was making four and a half million dollars worth of fuzes for the British in 1915 and 1916.

The American Steel Foundries were manufacturing \$35,000,000 worth of shells for the British in 1915 and 1916.

The Ansonia Manufacturing Co. was producing \$4,600,000 worth of fuzes for the British in 1915 and 1916.

The Artillery Fuse Co. was making \$6,100,000 worth of fuzes for the British in 1915.

The Baldwin Locomotive Co. was manufacturing \$32,000,000 worth of—what? Locomotives? Thirty-two million dollars worth of shells for the British in 1915 and 1916.

The Bethlehem Steel Co. was producing \$183,000,000 worth of shells and ammunition for the British in 1915 and 1916.

The E. W. Bliss Co. was making \$33,000,000 worth of shells and explosives for the British in 1915 and 1916.

The Bartlett-Hayward Co. was manufacturing \$14,500,000 worth of shells and ammunition for the British in 1915 and 1916.

The Senate will note I am still in the B's.

The J. G. Brill Co. was producing \$1,500,000 worth of shells for the British in 1915.

The Burton-Richards Co. was making \$4,500,000 worth of TNT for the British in 1915 and 1916.

No trade in munitions to speak of. Not an influence upon our economy. Mr. President, I point out that those I have mentioned are only the A's and B's of the alphabet of American corporations which were doing a business in arms, ammunition, and implements of war with Britain alone in 1915 and 1916. I have gone through only the A's and B's and have not tried to cover them all. I shall be most happy, if the Senator from Kentucky insists, to go through the C's, D's, E's, F's, G's, and so forth, down through the Z's. I have page after page of them, revealing how very tremendous became the trade in munitions in the United States for foreign governments in 1915 and 1916.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. NYE. I am glad to yield.

Mr. BARKLEY. To what extent did the concerns which were selling these products to Britain and France lose that business when we entered the war? To what extent were they required to curtail sales abroad in order that they might supply our own Government?

Mr. NYE. I shall show the Senator that most of them did not curtail sales abroad at all. They even continued furnishing foreign governments at the expense of our own national defense, refusing to fill the orders of the United States Government when American bankers insisted that industries first fulfill the orders of foreign governments. I shall show that to the Senate.

Mr. BARKLEY. Was that on the ground that they had contracts that they could not revoke?

Mr. NYE. In part; just as there are now floods of contracts in American aircraft factories from Britain and France to such a point that the expectations of our Army and Navy with respect to the supply of aircraft for our own Military Establishment are not being fulfilled.

Mr. LEE. Mr. President, will the Senator yield?

Mr. NYE. I yield

Mr. LEE. Would not legislation to prevent war profiteering take care of the condition to which the Senator is referring? I am in full agreement with the Senator in his fight against war profits and his effort to remove anything that might be an incentive to war, but would not that problem be taken care of by legislation to prevent profiteering in wartime?

Mr. NYE. Mr. President, I do not believe any legislation proposed in the name of war-profits legislation would have had the least effect upon our 1914 and 1915 trade with the Allies, or would have any effect upon our present trade with the Allies, or our trade with nations at war, up until the time we become actively a part of such war. I should like to reach the situation which we now have and which we had in 1914, 1915, and 1916—and I think the Senator from Oklahoma agrees with me—with a tax program. In 1914, 1915, and 1916 the Government levied a so-called munitions tax, which did not amount to very much. It might have been much greater than it was, to the greater security of the United States and its people.

Mr. LEE. At the present time, regardless of what may happen in the future, it seems to me a good preventive measure would be for Congress to pass anti-war-profitteering legislation. The Senator, himself, is a coauthor, along with many other Senators, of tax legislation which would recover profits resulting from war. Such legislation could even be made to apply to profits from any wars, regardless of whether or not the United States participated. My understanding of such legislation is that it is intended to prevent, so far as possible, any interest in anybody else's war, and to remove any possible profit incentive from war. It seems to me the facts to which the Senator is referring deal with the situation of war profits, and should be taken care of with war-profits legislation. We have such legislation pending. The President, in two speeches to Congress, has recommended legislation to prevent war profiteering. It seems to me that is a question which must be dealt with by separate legislation.

Mr. NYE. It is; and, knowing of the Senator's keen interest in accomplishing that kind of legislation, I will say to him that there is no road on which I will not go with him to the end in securing the passage of adequate wartime tax legislation. Perhaps when we are through with the pending legislation we may have an opportunity to provide some taxation to apply to American industries which grow fat at the expense of other peoples' wars, and to the incomes of which we ought to have larger access.

Mr. MINTON. Mr. President—

Mr. NYE. I yield to the Senator from Indiana.

Mr. MINTON. I should like to ask the Senator from North Dakota whether or not I understood him correctly a moment ago. Did the Senator say that our air program was not keeping up with schedule, and that it was somehow being delayed?

Mr. NYE. I did.

Mr. MINTON. The Senator's source of information is different from that of the officer who is charged with responsibility for the progress of the program. I refer to General Arnold, who told us not more than a week ago that the Army was abreast of its schedule with its air defenses in the program mapped out by the Congress. He has the responsibility for that program.

Mr. NYE. Mr. President, in a previous address to the Senate on October 13, I made reference to this same matter. The RECORD is complete with respect to my views and representations upon that score. On a previous date the Senator from Wisconsin [Mr. LA FOLLETTE] dwelt at great length upon the interference with our own production for national defense in the form of aircraft. I shall not go back over that ground again at this time.

I return to the point I was making. I have gone through only the A's and B's, citing a very small part of American industry which was filling tremendous orders for the Allies in 1914 and 1915, and building a tremendous munitions trade in this country, in answer to those who have been insisting that the munitions industry in the United States in 1914, 1915, and 1916 was insignificant and did not amount to anything at all. I repeat, that the cases which I have cited take us only through the B's on the Morgan contracts for

the British on arms, ammunition, and implements of war. If Senators need further facts to convince them of the existence of a very large-scale munitions industry throughout the country in 1915 and 1916, I can continue through to the end of the list, and then begin on the arms, munitions, and implements of war produced by American companies for the French, paid for through Morgan & Co. in 1915 and 1916. This industry was equipped to produce munitions of war for the British and the French. No request has been made for further reading; but I note, for the information of Senators who are interested that if they will consult part 26 of the munitions industry investigation they will find, starting at page 7941 and running to and including page 7985, how extensive was the trade with Great Britain alone handled through J. P. Morgan & Co. during the 2 years prior to our entry into the war.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. NYE. I gladly yield to the Senator from Georgia.

Mr. GEORGE. I should like to ask the Senator at that point if the credits handled by J. P. Morgan & Co. for the British and French did not also comprise other things than arms and munitions?

Mr. NYE. No, Mr. President. I have gone through the list and have selected only those items which would lend themselves to the classification of arms, ammunition, and implements of war under the arms embargo.

Mr. GEORGE. I understand what the Senator has done. My question is, Did not J. P. Morgan & Co. also handle other credits? Were they not also purchasing agents for the Allies in connection with food supplies?

Mr. NYE. They were.

Mr. GEORGE. Yes.

Mr. NYE. But that is not included in the figures I have quoted here today.

Mr. GEORGE. I understand and appreciate that. I was asking that question preparatory to asking another question. During the World War, from 1914 to 1916, we had a very great expansion in all our commerce and trade with belligerent countries, did we not?

Mr. NYE. That is quite true.

Mr. GEORGE. Will the Senator be able to point out during the course of his address the percentage of that trade and commerce which properly should be allocated to arms, munitions, and implements of war and to other articles that would not be used for war purposes?

Mr. NYE. I think I can approximate the figures at this time. If I am not mistaken, of our total trade with Great Britain in those 2 years, somewhere between 22 percent and 24 percent was confined to arms and munitions and instruments of war, and about 13 to 14 percent of our whole trade with France during that period lent itself to the description under that category of arms, ammunition, and instruments of war. Does that answer the Senator?

Mr. GEORGE. Yes; but I also wanted to invite the Senator's attention to the fact that in the period of the World War, with such a large portion of the world involved, there was bound to be a certain war economy in any nation that was supplying large quantities of raw materials or of manufactured products or both. I think we could all agree upon that.

Now I wish to invite the Senator's attention to the fact that although credit was not extended directly by the munition makers, was it not one of the chief vices of the 1914, 1915, and 1916 period that credit was extended in the United States for arms, munitions, and war supplies?

Mr. NYE. Yes; I think those of us, including the Senator from Georgia, who served upon the committee to which I have referred, came very definitely to that conclusion.

Mr. GEORGE. Of course, I know the Senator is not unmindful of the fact that in the measure now before the Senate we have pressed our ingenuity almost to the breaking point to prevent the extension of credit for arms, ammunition, and implements of war.

Mr. NYE. I wish I could feel with the Senator that all the loopholes have all been stopped, but I cannot do so.

Mr. GEORGE. I would not say that "all have been stopped," but we have gone as far, I think, as any great nation has ever gone to prevent the extension of credit for strictly war purposes.

Mr. NYE. I think that is quite true.

Mr. GEORGE. I think I fully appreciate the Senator's argument, and that is that in the period of 1914 to 1916, inclusive, we had in this country a rapidly developing war economy. That is unavoidable, and my distinguished friend from Oklahoma [Mr. LEE] is not going to remedy that situation by locking the stable after the horse has been stolen. He will by heavy taxes only add to the difficulty.

Mr. NYE. That is true.

Mr. GEORGE. He will only increase in any wartime period the cost of living and the cost of everything the people have to buy. It is very proper to tax excess war profits, but there is no real way to avoid a war economy as I see it. We may limit it or we may restrict it.

Mr. NYE. May I suggest that there is a real way, though probably a way in which only a small minority of the Members of the Senate would concur. That would be a complete embargo upon all trade with nations at war. We could prevent then the expansion of that kind of economy.

Mr. GEORGE. That might accomplish it, and, I think, perhaps, it would.

Mr. NYE. I beg the Senator's pardon; there would be one more method, and that would be to restrict wartime trade on the basis of the normal flow before war arose, and strive to maintain on a quota basis only that normal average flow of commerce to nations at war.

Mr. GEORGE. I would not want to enter into that discussion, because I apprehend that neither this Nation nor any other great nation would pay a price of that kind now when productive capacity is so great.

The point I wanted to bring to the Senator's attention was that certainly in this measure now before the Senate we have gone to the utmost—indeed, I know of no great power in the history of the world that so exhausted its ingenuity as we have in the pending joint resolution—to prevent the building up of a war economy, at least on a credit basis, which was the vice of conditions which arose in the United States between 1914 and 1916, inclusive. Of course, the war economy itself, though on a strict cash basis, has certain very great disadvantages; certain very palpable objections; I grant that; but I think that we must look at these questions practically, and there is a point beyond which we cannot go in dealing with our people. Therefore, when we have taken away the opportunity of building a war economy in this country on the credit basis, which I concede to be the vice of what happened between 1914 and 1916 in the United States so far as it may have been one of the influences that led us into the World War, I want to direct the Senator's attention to the fact that we have gone certainly a long way to prevent a war economy built upon credit.

Mr. NYE. I agree with that, and I agree that we went a long way in 1937 when we wrote what is now the Neutrality Act. We had gone a much further way on the 1st day of last May than we had on the 2d day of May when the administration permitted a part of our neutrality law of 1937 to expire; namely, the cash-and-carry feature, which applied to all commerce that was not covered by the arms embargo. There is no denying that the administration let the cash-and-carry feature of the law die, the same forces that today are arguing we must have cash and carry.

The Senator from Georgia makes the point that we have gone a long way. We have done so. The pending measure, though it lends itself to a great deal of criticism, which will be voiced when we get to the amendments, does go a long way, further by far, I presume, than anyone would have dared a dozen years ago to believe a nation would ever go. But right here and now we can go a considerable degree further. If we will only hang on to the arms embargo, and then adopt cash and carry and make it apply upon such commodities as the embargo does not cover, we can destroy



what might be a heavier influence upon us than we are ready and willing now to admit.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Washington?

Mr. NYE. I yield.

Mr. SCHWELLENBACH. May I ask the Senator why he says that on the 2d day of May the administration permitted the cash-and-carry provision to expire? Did it not expire as a matter of operation of law under the terms of the act itself?

Mr. NYE. That is correct, but without any effort on the part of those who are now seeking to reinstate the cash-and-carry provision to accomplish its renewal.

Mr. SCHWELLENBACH. The Senator, I think, must stand corrected, in that those of us who are interested in the administration did everything we possibly could to try to get some such provision in the law last May. We started hearings, as I remember, in April, and were ready to go ahead. The responsibility for the failure of the cash-and-carry provision, which expired on the 1st of May to be reinstated in the law cannot be transferred from those who refused to permit it to go through at that time over onto the administration. It was the administration that wanted to reinstate it. I have no objection to argument as to the merit or the lack of merit of the arms embargo, but certainly the Senator from North Dakota is not being fair with the administration when he says that it was the administration that made it possible for the cash-and-carry provision to expire on the 1st day of May.

Mr. NYE. Who did make it possible for the arms embargo to expire on the 1st of May?

Mr. SCHWELLENBACH. The same gentlemen who are attempting to defeat this legislation at the present time.

Mr. NYE. The same gentlemen who are now attempting to retain the arms embargo and write into the neutrality program a provision which will provide a cash-and-carry cover-all for other commodities? Is the Senator saying that the Senator from Missouri [Mr. CLARK] and I, who last spring introduced legislation which was referred to the Foreign Relations Committee, asking for a renewal of cash and carry, are responsible for its death last May?

Mr. SCHWELLENBACH. I say that absolutely. There are some Members of this body who believe they know so much more about this question than anybody else that if the "t's" are not crossed the way they want them, or the "f's" are not dotted the way they want them, then the whole thing must go out of the window; they are willing to stand up and fight.

Mr. NYE. Mr. President, the Senator from Washington is saying that the Senator from Missouri [Mr. CLARK], the Senator from Michigan [Mr. VANDENBERG], and I last spring were not ready to trade cash and carry for repeal of the arms embargo. If that is what he is trying to say, I plead guilty; but that does not have anything to do with the will that was here then, as it is now, to renew cash and carry, but leave the arms embargo where it is.

Mr. SCHWELLENBACH. Will the Senator again yield?

Mr. NYE. I gladly yield.

Mr. SCHWELLENBACH. I do not think the Senator is quite correct, and I doubt either the patriotism or the statesmanship of making a statement of that kind in the discussion of this very serious question, that anybody wanted to make a "trade." I believe that the United States can best stay out of war by means of the repeal of the arms embargo. The Senator from North Dakota disagrees; but at that time and at this time I think the Congress of the United States should take some action upon it, and certainly it was not the administration that stopped action during May, June, and July of this year. It was those who were opposed to the administration who stopped action at that time.

Mr. NYE. Mr. President, coming back again to the influence, the magnitude of the munitions industry in the United States in 1915 and 1916—which, after all, is the thing

I am trying to establish here this afternoon—I want to cite once again those Du Pont figures.

For 1915 and 1916 they were doing \$269,000,000 worth of explosives business for the British alone, not including the French, and not including the Russians. By September 1, 1916, there were about \$15,000,000 worth of machine-gun contracts placed here. Through that period the total trade in munitions which had been established had assumed not an insignificant proportion but a tremendous magnitude. That munitions trade became a really vital part of our economy here in the United States even before we entered the war. Exhibits before the Committee on Munitions have shown that of the total exports to Great Britain and France handled by the purchasing agency of J. P. Morgan & Co. alone, the bulk of the contracts were completed by the end of 1917; and the figures are therefore related to the total export figures for the years 1915, 1916, and 1917.

The description of the Morgan exports given in these exhibits shows that for the years in question exports of material covered by the present embargo amounted to \$1,464,762,543, or approximately 70.2 percent of the total business to England handled by Morgan's export department; the figures for France for the same period are \$322,379,733, or approximately 30 percent of the exports for France handled by Morgan's purchasing agency; a total of approximately \$1,800,000,000 of foreign trade in commodities that today stand defined as arms, ammunition, and implements of war. Those figures do not include the exportations that were made aside and apart from those handled by J. P. Morgan & Co.

It would not be at all unfair to say that our trade in that period in arms, ammunition, and implements of war had assumed a total of as much as \$2,000,000,000; and yet men will stand here on the floor, turn their backs upon that record, and say that our munitions industry was insignificant—insignificant when it was so tremendous a part of our whole economy.

The representation regarding the insignificance of our munitions industry was introduced here by reference to Mr. Newton D. Baker's words as to what were and what were not facts as of that period. The Senator from Kentucky [Mr. BARKLEY] quoted further from Mr. Baker's article to the effect that the United States had to get munitions from England and France because our own munitions makers were not equipped to supply us.

I dislike having to go over ground that the senior Senator from Missouri [Mr. CLARK] has so adequately covered; but, Mr. President, I want this record never to be covered. I want there never to be any chance for anyone to point to the record and ask, "Why were not these facts driven home again and again and again when advocates of repeal were misrepresenting the facts as they were being misrepresented, consciously or unconsciously?" The fact of the matter is that the munitions industry in this country was too busy supplying England and France during 1915 and 1916 to bother about American orders, and further they were tooled to allied specifications, and had a hard time turning over to American specifications after we got into the war.

Let me read to the Senate some very revealing excerpts from correspondence on this subject between the Midvale Steel Co., J. P. Morgan & Co., and E. W. Moir, agent in the United States for the British Ministry of Munitions, in 1916.

On June 23, 1916, Mr. Moir wrote to Morgan's concerning the Midvale Steel Co.'s 12-inch shell contracts for the British Government. He pointed out that Midvale had been producing shells for the British, and that they were installing new machinery in a building constructed for the purpose of making shells. He said:

We have always understood that it was the intention to continue working the existing plant on British 12-inch shell after the new shop is finished, until the completion of the contracts, but now I am informed that the company intend turning over existing machines and the labor employed on same on to the manufacture of shell for the American Government.

Get this point! Here is a representative of the British Munitions Ministry wanting to know, "Is it possible that

American industries are going to turn over the capacity to producing munitions for America?"

He went on in his letter:

This means, of course, that unskilled labor is going to be put on the manufacture of 12-inch British shell, and in consequence it appears that deliveries for some considerable time will remain unsatisfactory.

For the purpose of the record, let the RECORD show that this communication will be found at page 8187 of part XXVII of the Senate Munitions Hearings.

In other words, Mr. President, Mr. Moir, representative of the British Munitions Ministry, was worried about delivery of the British shells; whereupon E. R. Stettinius—where have we heard that name more recently?—E. R. Stettinius, head of J. P. Morgan & Co.'s export department, wrote to Mr. A. C. Dinkey, president of the Midvale Steel Co., on July 22, 1916, asking:

Have you accepted any orders from the United States or Italian Governments, the execution of which has interfered or may interfere with the orders you have received?

That is, the British orders. Listen, Senators:

On July 27, 1916, Mr. Moir, the British agent, informed Stettinius, of Morgan's, that he had seen the Midvale people, and—

They assured me that they have given up the idea of turning over the old shop to the United States Government shells, and that they will put their whole capacity on the British order, except to the extent of four lathes which will be used for the United States.

Considerate of them. Most considerate of them.

Finally, on July 29, 1916, the president of Midvale Steel, Mr. Dinkey, wrote Stettinius, of Morgan's, the following:

We have accepted no orders from either the Italian Government or the United States Government, the execution of which has interfered or may interfere with orders we have taken for English projectiles. On the contrary, in order to further production—

I want this heard, especially by those Senators who were asking during the course of the afternoon for this information—

On the contrary, in order to further production of English projectiles on orders which we have on hand, we have seriously delayed the completion of orders for American projectiles which were placed long prior to your orders and on which delayed orders we are paying penalties in serious amounts.

Mr. President, foreign orders of American munitions plants had assumed such proportions that the foreign needs went ahead of American needs in our munitions plants. I suppose there will be those who will say it will not happen again. Who are we to say that it will not happen again?

Mr. HOLT. Mr. President—

The PRESIDING OFFICER (Mr. Brown in the chair). Does the Senator from North Dakota yield to the Senator from West Virginia?

Mr. NYE. I yield.

Mr. HOLT. The Senator from North Dakota has read in the London papers, no doubt, about the great applause the English people have given the appointment of the son of Mr. Stettinius to the War Munitions Board of the present administration. They remember very vividly how much his father did for England during the World War, and they welcome his appointment.

Mr. NYE. I quite appreciate that; but the Senator from Kentucky and I have agreed, at least for the course of this day, that we do not care a tinker's dam what is thought in London, or in Berlin, or in Moscow, or anywhere else, about what we are doing here. We are acting now for America, and for America alone.

I now come back to the demonstration of how American industry was responding first to foreign requirements, and secondly only to American requirements. Certainly it is fair to say that it is putting the national defense of the United States anything but first, is it not?

Mr. FRAZIER. Mr. President, will my colleague yield?

Mr. NYE. I yield.

Mr. FRAZIER. I should like to ask the Senator whether the same thing is not true today, in the case of the building

of airplanes—bombers? Our orders are being held up, as I understand it, in order that the orders of Great Britain, France, Canada, and Australia may be filled.

Mr. NYE. Yes. Demonstration of that has been afforded in previous addresses which have been made in the Senate, and reference was also made to it previously today, during an hour, perhaps, when the Senator was not able to be present.

Certainly the defense of the United States was not then being considered first. It was allied war orders that were getting the first attention. That is the advantage of turning over our munitions industry to supply the Allies, so that our own orders can take second place. No wonder the United States Army was not decently equipped, according to Mr. Baker, even after we had been in the World War 18 months. With Morgan's handling the British orders over here and insisting that deliveries for their customers have preference, naturally American needs took second place. Oh, no; that will not happen again; never, never, never. Is there anyone here who wishes to say today that he was in Congress and knew this to be the state of facts? No; certainly not. Yet there are those who at once inquire, "Are you attacking those of us who voted the declaration of war in 1917? Are you calling us dumbbells?"

I have never noted, in 15 years, a debate in the Senate where there has been so much will to cover up the real, vital issues, and sail off into realms many of which have no relation whatsoever to the issue we are now challenged to meet in the Senate.

Now, Mr. President, in spite of this past experience, and more which might be resorted to in order to demonstrate the point of the influence of foreign orders, it is proposed that we repeat the 1914-17 performance, and gear our munitions industry to British and French needs, to their specifications.

Mr. Leland Summers, who was vice chairman of the War Industries Board in 1917-18, while we were at war, made a special examination at the request of the Board chairman, Mr. Bernard Baruch, into the causes for the slowness of American munitions production.

Is any Member of the Senate interested in knowing what that study revealed? He found, if you please, on May 13, 1918, that the delay in the production of 75-mm. field artillery was due to the changes in the American type of gun. As soon as a switch was made to the French type, production proceeded; but in the production of the American type there could be no progress.

Mr. BARKLEY. Mr. President, will the Senator yield at that point?

Mr. NYE. I yield.

Mr. BARKLEY. Was that not due to the fact that the factories had been geared to production during the 2½-year period—

Mr. NYE. Mr. President, that is what I have been endeavoring to make clear this afternoon, that we had geared our production for foreign orders to a point where we could not supply our own needs in our own country.

Mr. BARKLEY. Of course, the Senator would not advocate that, in order that we might produce a particular type of cannon or gun for the American Army, we should not have gone ahead and made them, as we had been making them, for the foreign purchasers, would he? Is he criticizing our Government because it accepted the French design instead of undertaking to manufacture a new design?

Mr. NYE. Heaven help us, our "second choice" government at that time had no other choice. They had to take what American industry had geared itself to produce. However much they wanted a product of their own specifications, the military authorities of the United States could not have it, and they had to be content with production under specifications afforded by foreign governments.

Mr. BARKLEY. The Senator will not contend that the same situation exists now, because up to that time this type of gun had not been manufactured in the United States at all, and they had to transform the activities of many of the factories which were producing, not arms, ammunition, and



implements of war, but ordinary commercial products, so that they could produce the products which were being sold to the belligerents on the other side of the Atlantic. Having geared their industries to that sort of production, it would have been folly to have undertaken to change it all and to have had the same experience we had with the Liberty motor, which we started from scratch, as the Senator will recall. It took us a long time to get a motor which would be satisfactory to the Government, and after we got it, we did not get fighting planes in Europe in quantities sufficient to send enough to supply our own Army with our own planes.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. MINTON. Does not the Senator know that we took the French 75's during the World War, not because the machinery of this country was geared to make the 75's, and not 77's, or whatever the caliber of the American Army gun was, but we took the French 75's because they were the best shooting piece of artillery in the world, and, thank God, the French had been buying them in the United States, and we were prepared to make 75's. That is the reason why we took them.

Mr. NYE. If the Senator can feel so good about what happened, that is splendid; but that was not what Mr. Baruch's investigators reported as the reason why the Army and Navy had fallen back on the French gun. I shall read it again. Let us not confuse the record of facts.

I am trying to show what Mr. Baruch's investigator for the War Industries Board reported was the cause for the slowness of American munitions production. He found on May 13, 1918, that the delay in the 75-millimeter field artillery was due to the changes in the American type of gun. As soon as a switch was made to the French type, production proceeded.

He found that Bethlehem was using the British type of 75's which they had been producing. "The Bethlehem Steel Co. did not actively push their American order," he reported.

The delay in the 4.7-inch field guns, he reported, was because an American type had been decided upon. He reported further that only the heavy type of howitzer, the British type, was being manufactured—fifth section from top of page 10228.

He reported that the cause for the delay in artillery was that the contracts were "not entered into until late in 1917 or early in 1918." He goes on:

Starting first with the element of steel, the specifications adopted by the Ordnance Department differed quite radically from the specifications which the French Government have standardized.

And so on and so forth. Here, Mr. President, let the RECORD note that from which I have quoted is to be found at page 10228, sixth section from the top, in the Senate Munitions Committee Hearings.

Mr. MINTON. Mr. President, will the Senator again yield?

Mr. NYE. I yield.

Mr. MINTON. The Senator has been talking about other guns than 75's. The gun I was talking about was the 75-millimeter gun. The Senator has been talking about 4.7's and howitzers, and so forth. But the French 75 was admitted by everyone who knows anything about artillery, and of course the Senator from North Dakota knows a great deal about it, to be the best shooting piece of artillery in the world. The reason the American Army adopted the French 75 and used it extensively, and almost exclusively in the World War was because it was the best piece of artillery, and I say again, thank God that the machinery of America was geared to make the French 75, and shells for the French 75, because that was the best gun we had with which to arm men on the allied side and our side in the World War.

Mr. NYE. Which does not alter the fact that there was a moment when the War Industries Board had no knowledge that the French gun was a better gun than the one they wanted to produce according to United States specifications.

In other words, our artillery-making plants were tooled up only to British and French specifications.

The investigator found general delay and disorganization, but nothing at all backing up Mr. Baker's statement that there were no munitions companies. The delay and dis-

organization was, according to Mr. Summers, and also according to the chairman of the production committee, Mr. Vauclain, exhibits 3985 and 3986, due with respect to artillery to constant changes of design by Mr. Baker's own War Department.

Nor can I quite let pass without a word the comments of the Senator from Kentucky in regard to the destruction of American ships during the World War. The list of the ships that he gave us on October 19, to be found on page 607 of the RECORD, is identical with the list I placed in the RECORD on October 13.

Only the interpretation of what these facts mean is in dispute. In regard to the *Gulftight*, it is important to note that she was under armed British convoy at the time she was attacked, and was mistaken, so it was claimed, for a British ship. In any event, the matter was adjusted by peaceful diplomatic means between Germany and ourselves.

We did not go to war over the *Gulftight* or over any of the other sinkings without loss of life up to March 1917. We must realize, as it was realized by the State Department at the time, that a blockade was being enforced by both sides. Vessels traversing a blockade since time immemorial have been seized and sunk. No nation claims the right to send its ships with any cargo unscathed through a blockade. We did not permit England to do it during the Civil War, and we seized and sank many of her ships that tried it.

No; all the sinkings prior to March 12, 1917, may have given rise to diplomatic friction, disputes as to the legal rights of American shippers and German war vessels, but they were not causes of war. The occasion of war was not the earlier sinkings but the unrestricted submarine warfare, which was proclaimed February 1, 1917, and put into force against us, with the sinkings, with loss of life, of American vessels after March 16, 1917.

But it is important to bear in mind that on March 12, 1917, the President by Executive decree ordered the arming of American merchant ships. That was when trouble for American ships started.

The law covering armed ships used by the State Department in 1916 to justify permitting armed belligerent ships to use our ports was the decision of Justice Marshall in the *Neriede* case.

Yet in that very decision Justice Marshall says this:

The celebrated case of the Swedish convoy has been pressed into service. But that case decided no more than this, that a neutral may arm but cannot by force resist a search (9 Cr. 429).

The dissenting opinion of Justice Story, dissenting not because he thought the Court went too far, but because he thought it did not go far enough, expresses the Chief Justice's thought on armed ships with even more force:

An act perfectly lawful in a belligerent may be flagrantly wrongful in a neutral; a belligerent may lawfully resist search, a neutral is bound to submit to it; a belligerent may carry on his commerce by force, a neutral cannot (9 Cr. 439).

I do not think I can add to Justice Story's analysis of the meaning of the Executive order of March 12, 1917. A neutral cannot carry on its commerce by force. If it does, it is no longer a neutral.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a memorandum dated March 9, 1917, from the Secretary of the Navy, Mr. Daniels, to President Wilson, showing what part the case I have been referring to played in the decision as to whether or not the United States should arm its merchantmen.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

[Excerpt from memorandum, March 9, 1917, from the Secretary of the Navy (Daniels) to President Wilson: (Maritime Commerce in War, Volume II, 1914-18, pp. 578-79)]

Admiral Benson is strongly of the opinion that the first thing to be done would be to notify Germany that, in view of the declaration that she intends to sink our ships without warning in a certain zone, it is our purpose to arm our ships for protection. He believes if this information is imparted, it is barely possible that Germany might not carry out her threat. If we deny the right of visit, Germany would declare that to be a warlike act, and that we were responsible for bringing on war. It is entirely

probable that the next step would be war. If we must enter it to protect our rights and the lives of our people, I have felt we ought to do nothing to put the responsibility for this step upon our Government.

Last night I conferred with Admiral Palmer about the crews to man guns. He has taken action, and sends this note, which I thought you would like to read. It is as follows:

MARCH 9, 1917.

From: Bureau of Navigation.

To: Operations.

Subject: Arming merchant vessels with naval gun crews and a naval officer.

Before any action is taken the Secretary should know that the presence of United States sailors (and an officer) on merchant ships will probably be considered an act of war from the German viewpoint.

That it is most probable that a German submarine, knowing an American merchant vessel is armed, and has armed forces of the United States on board, for the definite and sole purpose of resisting attack of submarines, will attack without warning.

That the master of the merchant vessel and the naval officer will believe the German submarine will attack without warning, and therefore, for the safety of the vessel, passengers, United States sailors, and crew, they will fire at the submarine on sight.

The Secretary should be fully informed on this subject before final steps are taken to place 50 United States sailors and officers on armed merchant vessels.

LEIGH C. PALMER.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. PEPPER. I want to ascertain whether I am correct in my understanding of the point the Senator has made. The point he made, from that reference, was that the United States Government, being a neutral, had no right to arm its merchant vessels?

Mr. NYE. That is correct.

Mr. PEPPER. The decision is that the vessels had no right to arm themselves so as to resist search. Does it follow from that that they had no right to arm themselves to resist indiscriminate sinking without even any authority to search?

Mr. NYE. No. It assumes simply that once a vessel arms itself it ceases to be a neutral vessel entitled to the consideration that ordinarily accrues to the vessels of neutral nations.

Mr. PEPPER. If a belligerent power proposes to exercise only its right of search of a neutral vessel there is a possibility that it will find that there is no contraband, either absolute or conditional, upon that vessel, and therefore there is no violation of the rights of neutrality. No neutral ship properly approached by a belligerent vessel has the right to deny search. But if instead of insisting on the privilege to search, which can legitimately be done by a vessel of a belligerent country, the belligerent vessel, without making any effort to search, should indiscriminately sink the neutral vessel, then I ask the Senator if he believes it would be wrong for a neutral vessel, no matter how harmless may be its character, to resist that kind of aggression?

Mr. NYE. Mr. President, it seems to me that that is quite aside from the question. The point made is that a neutral cannot carry on its commerce by force and remain a neutral, and be entitled to the consideration due to a neutral.

Mr. PEPPER. Mr. President, the Senator says that a neutral may not carry on its commerce by force. Suppose a belligerent power attempts to do the unlawful—and there is such a thing as international law that restrains even a belligerent power—in the absence of an international police force, what force except the neutral's force is there to protect the neutral against the violation of its right through the unlawful exercise by the belligerent of its asserted right?

Mr. NYE. I will say there is nothing except the neutral's will to do that act which becomes of itself an act of war. We had ample demonstration in 1914, 1915, 1916, even early in 1917, that we had not one thing to say about what was and what was not international law, or what were the rights of neutrals on the high seas. Every time we called Britain's attention to her violations of our rights she twiddled her fingers at us to the point where ultimately we find a Secretary of State saying that the notes of protest which were dis-

patched to Great Britain because of these violations were never intended to be taken seriously; that they were only intended to drag out a long controversy and avoid the necessity of a decision upon it.

Mr. PEPPER. Was not the order for American merchant vessels to arm themselves issued after the German Government announced indiscriminate submarine warfare upon all shipping?

Mr. NYE. Yes; it was.

Mr. President, to repeat, a neutral cannot carry on its commerce by force. It is no longer a neutral when it does so. With our own ships, as with belligerent ships, our legal troubles with Germany turned invariably on the problem of armed merchant ships. We held that though they could sink a submarine on sight, still the submarine could not sink them on sight. By doing so we backed away from the sound principles of our own law and equally the laws of all nations, that whoever on land or sea is entitled to resist with arms is also subject to attack with arms.

As Justice Marshall held in the *Neriede* case:

She does not rove over the ocean, hurling the thunders of war, while sheltered by the olive branch of peace. \* \* \* She is an open and declared belligerent; claiming all the rights and subject to all the dangers of the belligerent character. She conveys neutral property \* \* \* which encounters the hazard incident to its situation (9 Cr. 430).

In the same case, in the concurring opinion of Justice Johnson, we find this conclusion:

The general rule, the incontestable principle, is that a neutral has the right to employ a belligerent carrier. He exposes himself thereby to capture \* \* \* (9 Cr. 432).

That is, to all the damage incident to armed capture, which, of course, includes being sunk.

Again, Justice Story dissented because he believed that the Court did not go far enough. He felt that on armed ships of belligerents there was no neutrality whatever.

"Why," he asks—

should a neutral be permitted to do that indirectly which he is prohibited from doing directly? Why should he aid the enemy by giving extraordinary freight for belligerent ships, sailing under belligerent convoy, with the avowed purpose of escaping from search and often with the concealed intention of aiding belligerent commerce, and yet claim the benefits of the most impartial conduct? (9 Cr. 446).

Again, continuing to quote Justice Story:

In the first place, it is to be considered, whether a neutral shipper has a right to put his property on board of an armed belligerent ship, without violating his neutral duties? \* \* \* What would be the consequences, if neutrals might lawfully carry on all their commerce in the frigates and ships of war of another belligerent sovereign? That there would be a perfect identity of interests and of objects, of assistance and of immunity, between the parties. The most gross frauds and hostile enterprises would be carried on under neutral disguises, and the right of search would become as utterly insignificant in practice as if it were extinguished by the common consent of nations. \* \* \* Such false and hollow neutrality would be infinitely more injurious than the most active warfare. It would strip from the conqueror all the fruits of victory and lay them at the feet of those whose singular merit would consist in evading his rights, if not, in collusively aiding his enemy. It is not, therefore, to be admitted, that a neutral may lawfully place his goods under armed protection, on board of an enemy ship. Nor can it be at all material whether such armed ship be commissioned or not; that is an affair exclusively between a sovereign and his own subjects, but is utterly unimportant to the neutral. For whether the armament be employed for offense, or for defense, in respect to third parties the peril and the obstruction to the right of search are equally complete (9 Cr. 448).

Justice Story ends with these words:

Had this been an ordinary case, I should have contented myself with silence; but believing that no more important or interesting question ever came before a prize tribunal, and that the national rights, suspended on it, are of infinite moment to the maritime world, I have thought it not unfit to pronounce my own opinion. \* \* \* (9 Cr. 455).

Not being conversant with the law as a lawyer, nevertheless, I think I shall not be disputed when I say that of all the legal minds this country has known, none was greater on maritime law than Mr. Justice Story.

It was tragic that in the last war we failed to follow the clear analysis of the problem of armed ships left for us in all three opinions in this key case. Instead, we supported the



impossible, illogical position that an armed ship could defend herself but was not subject to attack; that she could lawfully inflict death and injury on others, and yet remain exempt from death and injury inflicted on her.

This same dangerous and illogical position may still be held by the present administration, and certainly is not ended by the pending joint resolution.

The Senator from Kentucky urged us to pass the joint resolution to prevent another such horrible disaster as that of the *Lusitania*. He pictured what would happen if the *Lusitania* were to sail on her fatal voyage today. He told us:

The 124 Americans would have been murdered, in violation of the law of nations, under the present law and under the embargo which is now in force.

I do not understand what the Senator could have had in mind. The present law, passed in 1937, forbids Americans to travel on belligerent ships. This is the provision:

Sec. 9. Whenever the President shall have issued a proclamation under the authority of section 1 of this act, it shall thereafter be unlawful for any citizen of the United States to travel on any vessel of the state or states named in such proclamation, except in accordance with such rules and regulations as the President shall prescribe.

Perhaps the Senator can explain how the *Lusitania* disaster could occur today under that law?

Later in his address the Senator discussed the *Gulflight* incident and correctly pointed out that under the present law this incident would not have been avoided. He asked if the *Gulflight* incident could have been avoided under this joint resolution. He assured us it could be. He said:

Every Senator knows that it could not only not have sailed with such a cargo, but could not have sailed at all, with or without a cargo, destined for a belligerent country.

Mr. President, I do not know that to be the case. I only know that under the terms of the joint resolution the *Gulflight* could not have sailed to a belligerent port, but I do not know that her cargo could not have been destined for a belligerent.

Still later the Senator from Kentucky said this:

The law we are proposing will keep American ships and American cargoes and American sailors and American travelers out of the present regions of danger.

The Senator from Kentucky said further:

No American ship nor its crew can therefore be within the range of destruction by the kind of sea warfare which occurred in the World War, or is likely to occur in this one. No category of arms, ammunition, or implements of war can be carried in our ships under any condition.

Mr. President, I can find no provision in the joint resolution which affords such safeguards.

What I find that the joint resolution does is to forbid American ships to go to belligerent ports. It does not prevent their carrying cargoes—including arms and ammunition—to neutral ports for transshipment to belligerents. I can find nothing in the joint resolution that in and of itself will prevent an American ship from landing arms and ammunition at Ostend, Belgium, for transshipment to the French armies, or the German armies for that matter.

The joint resolution gives the President power to define combat areas; and it is the definition of those areas, not the resolution itself, which will determine whether or not American ships and American crews will be seeking to land arms and ammunition at Ostend or any other neutral port in Europe.

In the first place, it is important to note that the proclamation called for under section 1 does not require the establishment of a combat area at all. An additional proclamation is required under section 3. It says in section 3, word for word, that if after issuing a proclamation under section 1 "he shall thereafter find that the protection of citizens of the United States so requires" he shall then issue another proclamation defining combat areas. Two proclamations are required to establish combat areas.

But that discretion does not operate in a vacuum. This joint resolution lays down the principles on which it is to operate. Everything in this joint resolution prior to section 10 is to operate in accordance with the principles and

guides to policy laid down in section 1. These are instructions from the Congress to the President; this is what they say, that he shall issue a proclamation when—

It is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens.

He is given three guides to policy: security, peace, lives.

By what warrant can it be said that an arms trade or oil trade or any other trade to the European neutrals for transshipment to the Allies must necessarily be considered inimical to the security, peace, and lives of the United States?

Let us consider security. We have word from excellent sources close to the President, we have inferences from his own words, that he considers the security and peace of the United States involved in the allied cause, that both would be promoted by allied victory. Are we not therefore telling him that on two of the three principles laid down in this joint resolution not only may he but possibly it is his duty, as he sees it and we understand it, to help the Allies by letting American ships carry cargoes to them indirectly? If that process endangers the third principle, American lives, then, and then only, the combat areas of section 3 are to be established.

What are the principles under which the combat areas are to be established? The first two, of course, which run through the entire joint resolution, the security and peace of the United States; third, lives; and then, note this: Section 3 does not read "save the lives of citizens." It reads "protection of citizens"; and the protection of a citizen is not only the protection of his person but his property.

What might it not mean? The combat areas for the "protection of citizens" are to be traversed only in accordance with rules and regulations prescribed by the President. What rules and regulations? In defining a combat area and laying down rules and regulations to preserve the security and peace of the United States and protect its citizens, would it not be possible to provide that American vessels could proceed to Ostend loaded with arms for the British and French? What in this joint resolution would prevent that? That would fulfill every requirement, legal and moral, of the joint resolution.

It is useless to say that no such thing will come to pass; that no American munitions carrier will go to neutral ports with cargoes for the French and British Armies. The power to do it is here. The law to do it is here. I believe the moral justification for doing it is here. I am not sure there is not even a moral duty to do it in order to preserve the security and peace of the United States as the President sees them, and as we are on notice that he sees them—that the security and peace of the United States are involved in allied success, as has been repeatedly stated by administration supporters on this floor.

Mr. President, if we do not want these things to be done, why should we give the President the power to do them? If the President does not want to do them surely he will not want the power to do them, and surely the administration supporters would be glad to add a simple amendment forbidding transit traffic without impairing any of the rest of the President's discretion, to the end that the Senate may have a chance to pass upon them. Senators are going to find an amendment offered proposing just that end.

In conclusion, Mr. President, neutrality is neutrality, not partiality. We may, if we desire, be partial. We may, by this joint resolution, by this formal act of our Government, give aid to England and France if we want to do it; but, if we do, we cannot then claim to be neutral. We cannot engage in open partiality and then feel that there is a legal and moral duty on the Germans to assist us in aiding their enemies. We may declare war on Germany, but we have no legal or moral right on earth to ask the Germans to help us help their enemies' war commerce; yet that is what we shall be doing if we are going to send our ships to engage in transit traffic through the European neutrals.

Are we going to ask the Germans to let those ships through? Would we ask the British to let similar cargoes through into Germany?

The consequences of partiality must be faced and ought to be faced here and now. We must decide whether we will attempt to send such ships through, and we must decide now what we shall do if the Germans refuse to let them through.

We have already decided that very question in regard to England. We will not try to arm Germany through neutral ports. We all know that. What shall we do about arming England and France through neutral ports? Shall we forbid it by defeating or amending this joint resolution? Shall we permit it? If we permit it, what shall we do, Mr. President, in the face of a German blockade applied through neutral ports, as the British blockade is now applied through neutral ports?

We cannot close our eyes and ears to the ruthless logic of this thing. We cannot pretend that these ship provisions do not bring us directly to the question of war against Germany. We dare not leave the question unresolved unless we deliberately wish to create an excuse for war, and create that excuse, of all things, in the guise of a neutrality measure.

In conclusion, Mr. President, I do not know whether or not previous reference has been made today to this incident; but this morning's newspapers reveal not only the continued influx of Duff Coopers and others from England to move into the colleges and the universities and the churches of this land, and preach the doctrine of a united front by the English-speaking peoples, a doctrine dictating: "We must preserve the English Fleet if we want to preserve and make stronger our own national defense." That was not the only news in the newspapers this morning. Reference to any morning newspaper will reveal that in an outstanding church of the United States yesterday an outstanding clergyman gave voice to a prayer for victory for one side engaged in the European war.

I wonder how much editorial kick-back there is going to be about that incident this afternoon and tomorrow. I wonder how much criticism there is going to be of that kind of thing. I wish there might be much. There ought to be much. I do not think there is going to be more than a little, if any. But I rise, Mr. President, to ask, What would be the reaction from coast to coast in this land of ours today if perchance a German Lutheran minister had delivered the same prayer in his church on yesterday, expressing a hope for victory for the German people? If that had been true, Mr. President, I wonder instead how few would have been those in this body who would not have been on their feet today damning and condemning the use to which some men were putting their opportunities to prejudice, to lead a Nation in its thinking into a cause that was wholly foreign to anything that was American.

Mr. President, I had hoped for more opportunity to speak today; but, while I have not had a chance to go through with a great deal of material that I should have liked to go through, even though it had necessitated staying late tonight, physically I am not prepared to continue. That condition of affairs will not cause me to ask for any additional time, however, if there is any will or any ability now to accomplish agreement in the Senate and consent in the Senate, possibly, to the reasonable limitation of debate. In other words, I do not want the fact that I have not been able to finish my argument to stand in the way of that sort of an agreement.

#### EXHIBIT A

There is only one issue in the present neutrality debate. It is this: Will taking sides in the present war in Europe, will helping England and France keep us out of war? The President and his supporters think it will. I believe, on the contrary, that it is evident from the record of the last war that we cannot take sides in a war and then stay out of it once our favorite side is in any danger of losing that war.

This is the real issue and always has been. The legislation we have been debating in the Senate is no neutrality bill. It is a bill to take sides, a bill to throw our neutrality overboard. If the administration was concerned, first and foremost, with writing a law to keep us out of war, they would have used the present law as a base and added to it the further safeguards we need. Under the present law we have now in force an arms embargo against all belligerents, an embargo against loans, a ban against Americans traveling on belligerent ships. The President and his supporters have announced with terrific fanfare, "Ah, but we must have cash and carry." They

have tried to make the country believe we can only have cash and carry or the arms embargo. Of course, that is completely untrue. We can and should have both. We had both until the administration let cash and carry expire last May. I have been for cash and carry since the first discussion of neutrality legislation in 1935. But the administration blocked at every turn those of us who fought for strong, mandatory neutrality in 1935, 1936, and 1937.

No, if the Bloom-Pittman bill was a bill primarily in the interest of keeping the United States from taking any steps toward involvement in the present queer war in Europe, let me tell you what it would include. It would retain the arms embargo, the loan embargo, the ban against Americans traveling on belligerent ships (all in our present law), and would add the reoption, in stronger terms, of the cash-and-carry provision which lapsed May 1 of this year, and a ban against the use of our ports to armed belligerent merchant vessels, which are war ships. Finally, and this is most important, their bill would have introduced a provision to restrict the war boom which we can see coming and which can only end in disaster for us.

But we are asked to give up the arms embargo and get in its place an alleged cash-and-carry provision—a provision which does not in fact keep American ships out of the danger zones of Europe, except at the President's discretion. A provision which allows hundreds of millions of Allied debts and obligations to be introduced into our banking and industrial system. Under the pending bill Allied bonds can be sold in this country and Allied obligations can be pledged with American banks. The loopholes in the credit restrictions are so great that the restrictions themselves are practically worthless, however much they may be praised by advocates of embargo repeal.

Behind this present move to repeal the arms embargo is another very positive desire—a desire to make use of Europe's war as a corrective of our own economic ills, as a kite to which to tie our business and fly to prosperity, as the route to quick riches, high wages, reduced agricultural surpluses, and profits.

Only 3 years ago our President warned us against the very train of events toward which he is now leading us. He said at Chautauqua, August 14, 1936:

"Industrial and agricultural production for a war market may give immense fortunes to a few men; for the Nation as a whole it produces disaster. It was the prospect of war profits that made our farmers in the West plow up prairie land that should never have been plowed but should have been left for grazing cattle. Today we are reaping the harvest of those war profits in the dust storms which have devastated those war-plowed areas.

"It was the prospect of war profits that caused the extension of monopoly and unjustified expansion of industry and a price level so high that the normal relationship between debtor and creditor was destroyed.

"If we face the choice of profits or peace, the Nation will answer—must answer—'We choose peace.' It is the duty of all of us to encourage such a body of public opinion in this country that the answer will be clear and for all practical purposes unanimous."

But today he tells us—I quote from his September 21 message to Congress:

"From a purely material point of view, what is the advantage to us in sending all manner of articles across the ocean for final processing there when we could give employment to thousands by doing it here?"

Let me warn you, American people, that just as soon as we accept the fool's gold of a war boom, just as soon as we allow our economy to become the slave of any set of belligerents, just as soon as we grow temporarily fat on the blood money from the European war, we will give up our own independence of action and find ourselves drifting into the 1914-17 situation. Remember what President Wilson's official biographer wrote of that previous war trade:

"Thus by the end of the year 1914 the traffic in war materials with the Allies had become deeply entrenched in America's economic organization, and the possibility of keeping out of the war by the diplomacy of neutrality, no matter how skillfully conducted, had reached the vanishing point. By October, perhaps earlier, our case was lost."

However determined men may be to avoid letting war abroad cause desire for profit from that war, there are very definite influences in our land which smell and see wholesale death in the making and want the United States to move in for the feast of profits wholesale deaths may afford. This is disgusting to say the least, yet we may as well face the facts and know that these influences are at work. I read now from a front-page editorial published in one of America's first rank daily papers:

"Our material interests lie with the English and the French. \* \* \* We have an immediate concern. The farmers of the United States have just harvested a bumper wheat crop. The corncribs of the Middle West still contain millions of bushels of last year's crops. Wheat and corn prices are painfully low. Surplus cotton bales are bursting warehouses in the South and a new crop is on the way. Cotton is selling at starvation prices. With war cutting off production in Europe there will be huge armies as well as civilian populations to feed. \* \* \* In our cities are from ten to twelve million unemployed. Everywhere there are idle factories, capable of giving employment to the jobless if they are permitted to fill the demands that cessation of industry in warring countries will create. \* \* \* Finally there are the industrialists \* \* \* eager to resume full-time production with the profits that would bring."



Disgusting, isn't it? But shall we, simply because it is disgusting, turn our back upon it and refuse to see it? Isn't it better to acknowledge that we do have in our ranks a consideration that is not divorced from this appetite for profit when considering America's neutrality laws and its own national welfare?

Just get the picture of those who reason as the quoted newspaper reasons: There are huge armies and civilian populations to feed; come farmers, come factory owners, come factory workers, get up to the trough; repeal the embargo, get your napkin on and enjoy this feast; there is prosperity for us, if we will only feed Europe's war.

Those who will remember what followed our last feast at the expense of a European war are going to fully appreciate the coldness of men who will let themselves lead a people into repetition of an experience which must be avoided at almost any cost. And let us acknowledge, too, that such influence as that I have quoted will grow and grow and grow in constant proportion to the extent that the people give way and the Congress gives way to that influence through the weakening of the laws that were built to curb that very appetite and influence.

And remember, any who are eager for quick war profits now, you will be paying later in the blood of your sons and in the loss of your own freedom.

A thing that ought to be causing concern is the assumption that underlies one argument for abandoning the arms embargo. That is the assumption that for us to embark on any other course than to help Britain and France is unthinkable, the assumption that to assure that "our side" wins is so great a good as to overshadow all others.

I am speaking of the assumption that our first line of defense is the British Fleet, that so long as the British Fleet remains supreme, our shores are safe from attack. I am speaking of the hypothesis that since the British Fleet is so invaluable to our defense, we must aid Britain every time she gets into a jam, which means we fight if Britain needs us, to preserve her empire. I am speaking of the demand that we repeal the arms embargo so that American supplies can continue to flow in a steady stream across the Atlantic Ocean to back up the British nation and enable it to maintain its fleet second to none.

Acceptance of these assumptions without examining them with great care would brand us as derelict in our duty. Let us scrutinize the oft-expressed belief that we must, in our own interest, help Britain win this war, a belief from which I heartily dissent.

The demand that we help Britain now with our materials is part and parcel of that same point of view that is always urging us to hitch our wagon to the British star, willy nilly. One of its outstanding spokesmen is the former Secretary of State Henry L. Stimson who said in a radio address a few weeks ago:

"I ask you, in all seriousness, cannot you, yourselves, see how the security of the people of the United States will be affected by a naval disaster to those two nations? If the fleets of France and Great Britain should be beaten down by the danger that threatens them today, have you any doubts as to the seriousness of the situation which would then confront us? Have you any doubts as to the jeopardy in which our own American interests in this hemisphere would then be placed? \* \* \* my view is that the security, present and future, of the United States and of its people will be promoted by the repeal of the embargo and that such a step will not tend to drag us into war. So long as Great Britain and France are fighting and their forces command the seas, the people of the United States cannot be dragged into war except by their own deliberate volition."

Now, what is this, if not a clarion call to the American people to save the British fleet? Are we to understand that a great country like the United States, a country rich in resources, in industry and agriculture; a country that spent just under \$2,000,000,000 last year for its military and naval defense establishment, is so dependent on the British fleet that we must go to the defense of that fleet whenever it is involved in a dispute, to preserve and defend it so that some day it may turn around and defend us? It doesn't make sense on the very face of it.

When we realize what acceptance of that policy involves, it seems to me that idea must have been conceived in the brain of the mad hatter.

If we are to save the British fleet, that means that we shall go to Britain's rescue every time the empire is threatened. It means that just as we did 22 years ago, every 5 or 10 or 20 or 30 years we can count on a military expedition in which American lives will be lost in order to hold together the topheavy and far-flung structure of the British Empire.

It means, in effect, that we contract in the binding ceremony of war for an endless series of wars. It is the same as saying, "Britain, I take thee to be my lawful wedded defender, and I am thine; for richer, for poorer; for better, for worse; in any threat to thy far-flung empire, and in good times, thee can count on me to see thee through, even if it means going to the ends of the earth; till war destroys us completely. Amen."

It would be a mésalliance, not in the sense that either Britain or the United States is inferior to the other, but in the sense that as a wedding partner Britain is entirely unsuited to our needs, as I shall show.

A sensible policy for any nation is one that is firmly based on enlightened self-interest. And in a world of chaos—conviction becomes ever deeper that the United States should pursue a policy that is to her own best interest. That means a policy that is geared to the needs and happiness of our own people.

No nation is so fortunate as the United States in having been situated by the hand of fate in so desirable a position. Few nations are endowed with the natural resources and the natural defenses that are ours. For these great blessings we can take no credit to ourselves; they exist through no act of our own. Circumstances beyond our control simply dumped into our laps great benefits that the disunited nations of Europe would pay a great price to possess. It would be folly to fly in the face of Providence and do anything that would in any sense abjure these blessings, and that is just what we shall be starting out to do if we put our first thoughts on attempting to help Britain every time it is endangered through circumstances not of our making; indeed, circumstances largely of her own making.

What should our attitude be? I have seen nothing better than the excellent statement by Charles Beard, the most eminent historian of our time, on this point. I am quoting him:

"Europe has a set of 'primary interests' which have little or no relation to us, and is constantly vexed by 'ambition, rivalry, interest, humor, or caprice.' The United States is a continental power separated from Europe by a wide ocean which, despite all changes in warfare, is still a powerful asset of defense. In the ordinary or regular vicissitudes of European politics the United States should not become implicated by any permanent ties. We should promote commerce, but force 'nothing.' We should steer clear of hates and loves. We should maintain correct and formal relations with all established governments without respect to their forms or their religions, whether Christian, Mohammedan, or Shinto, or what have you. Efforts of any European powers to seize more colonies or to oppress independent states in this hemisphere, or to extend their systems of despotism to the New World will be regarded as a matter of concern to the United States as soon as they are immediately threatened and begin to assume tangible shape."

That makes good and sound sense. It is based on realities, not on any sentimental attachment for an old idea that may have outlived its usefulness. It is based on the "point of view of the interest of the United States as a continental nation in this hemisphere."

This is the doctrine George Washington first enunciated, the doctrine which James Monroe restated in 1823, the doctrine which we followed in all those years when our country was becoming a great nation.

Such policy is founded on solid rock. It is based on our impregnable geographical position and our practical national interests. It is a policy that says that we shall wash our hands of all disputes over territory, over rival imperialistic ambition over boundaries, over forms of government, over national interests that do not affect us, that says we shall not mix in affairs about which we know little and which we cannot solve.

It is a policy that says that nothing is so important to us as the welfare of our people and that we do not intend to be diverted from long-time programs for their benefit by allurements of temporary gain if we will but turn our eyes toward other continents far to the east or to the west.

It is a policy that says we will have no truck with supporting one alliance against another, realizing that alliances exist only for the interest of those parties to them, and for preserving imperial domains.

It is a policy which says that tying our future to the vicissitudes of the British Empire, about whose administration we have absolutely nothing to say, is sheer folly; that no gain we could possibly imagine from assuring the preservation of the British Empire and fleet would begin to compensate for the terrific losses we are sure to incur—not only material losses but losses to our prestige, self-respect, and national well-being.

It is a policy that says our national wealth and resources—money, men, and materials—will never be handed to Britain or any other power on a silver platter for the defense of interests that are not ours.

It is a policy that to my mind flatly denies the thesis to which many subscribe, the thesis that we must help Great Britain because any threat to Britain is a threat to the British Fleet, and any threat to the British Fleet is a threat to our defense. It is both short-sighted and unintelligent to feel that our security is based on the continued existence of an empire which has been on the defensive since the World War.

Then why are we casting our eyes across the broad stretches of the Atlantic? Why do we even think of casting our lot with those who quarrel over interests that are strictly European and have nothing to do with the interest of the United States as a continental nation in this hemisphere? We have not the slightest chance of bringing about an end to the age-long struggles of Europe. Even the missionary zeal of some of those who want to bring light into dark places cannot settle Europe's troubles. Then why adopt a policy that will set our feet in the path that ultimately leads straight into the whirlpool of Europe's conflicting interests?

Such a policy is beautifully damned by Historian Beard as "quixotic for the reason that it is not based upon a realistic comprehension of the long-time history of Europe and Asia and of the limited power which the United States has over the underlying economies and interests of those two continents. It assumes that the United States can in fact bring those continents into a kind of stable equilibrium, assure them the materials of a peaceful economic life, and close their history in a grand conference of the powers—perhaps as successfully as Locarno. It assumes that somebody in the White House or State Department can calculate the consequences likely to come out of the explosive forces which are hidden in the civilization of those immense areas. Does anyone

in this country really know what is going on in Europe, behind the headlines, underneath the diplomatic documents?"

What do we know about the wheels within wheels that are spinning the European continent at such a giddy pace? Who knows now what new threat is materializing to give Britain a case of the jitters over a distant part of her Empire? Has anyone a clear idea of what Russia's intentions are? Do we know how far she intends to go in the Balkans? Will she in time have such free access to the gateway to the East that Britain will declare her lifeline to be threatened?

If that does happen, and Britain needs help, we can be sure we shall be notified and in terms that are alluring to those who are not averse to fighting a war so long as the appeal to fight is clothed in ideological raiment. We can be very sure that a resounding moral basis for war will be present.

Do any of us know what the real war aims of England and France are? Do we know what ending Hitlerism means in terms of the basic economic and political problems of Europe—problems which ending Hitlerism will not solve? Do we have any picture of England and France repentant of their disastrous post-World War diplomacy, planning now to build a new and peaceful Europe after this present conflict?

If we accept a manufactured "moral base" as an excuse for giving our aid to keep Russia or any other power from expanding at the expense of Britain's far-flung interests, remember that it will be in Britain's interest, not ours, because our interests are separate. Our future lies in our development within the area circumscribed for us by the hand of fate—the Western Hemisphere.

Of course, some who advocate lifting the embargo on the ground that we should help Britain may feel that our last expedition to help Britain was worth it. Many times the economic, military, and spiritual losses we incurred in that little crusade of over 20 years ago have been weighed. Perhaps some think it was worth it. But I do not. And I do not believe that the millions of men and women who paid out of their hearts and pocketbooks think it was worth it. And I am opposed, as they are, to doing it again.

There is a new factor in the situation today which should not be lost sight of. Those Americans who look upon the British fleet as our first line of defense may, in the course of the next few months, have to revise their views as to the efficiency of battle fleets in meeting the now highly developed weapons of war exemplified in the submarine and the bombing plane. It may be that we are seeing the days of the end of fleets as effective blockading instruments or as commerce destroyers. If important units of the British fleet can be sunk in its own seas it ought to be fairly clear that a hostile fleet far from its base can be sunk by our airplanes and submarines if ever it attempts to fight a battle or guard an invasion 4,000 or 6,000 miles from its home base. The sinking of two of Britain's fine warships—the *Courageous* and the *Royal Oak*—bring up these considerations. We may, in the next few months, see a test of the heavy battleship versus the bombing plane. Who knows now what the outcome would be?

There are forces at work in the world today which make it hazardous to gamble on the permanent stability of the British Empire—forces over which we have no control, the rise of Japan in the East, the growing nationalist movements in India and Egypt, the threat to Britain's interests in the Near East, and India implicit in the new Soviet imperialism. Are we willing to underwrite the British Empire in an attempt to hold these forces in leash? Do we have any alternative once we commit ourselves to the preservation of the British Empire?

Even yet we do not know what Britain's war aims are. The veteran Lloyd George has been hammering at Prime Minister Chamberlain for days in an effort to win a statement of what Britain is fighting for. So far the answers have been evasive. The witty Mr. Shaw wrote an article in which he, too, raised the question of war aims.

If the British people are willing to continue supporting this war without a clear statement of just what they are fighting for, that is their business. But it is our business when we are asked to give help to Britain to win its war.

A war to "stop Hitler" some say. Of course—I know that answer. And so does everybody else in the world today who has eyes to read a newspaper or ears to hear the blare of the radio or a heart to sense the ominous rumble that is shaking the whole world. I know that. But I do not know what "stopping Hitler" or "ending Hitlerism" means in terms of the concrete problems of central and eastern Europe. Do the British and French Governments have an alternative for Nazi-ism in Germany or fascism in Italy, or the more or less complete dictatorships in the Balkan nations? Do we know that they are planning to do all those things they left undone during the post-Versailles days?

To identify ourselves with the British Empire seems foolhardy, especially when our own destiny is so clearly defined as being separate from Europe.

This is a dynamic world. It is time we packed away in moth balls a sentimental attachment for an aging concept which dynamic forces are rendering impotent. It is time we made up our minds to create a tradition of our own, to pursue a foreign policy rooted in our own interests. The actions growing out of that policy will have to be indigenous to American interests and American understanding. It will have to be a hardheaded, practical policy, based squarely on our practical American national interest.

That means that our destiny will be worked out primarily within the confines of the Western Hemisphere. The way was pointed to that as far back as 1823 by James Monroe.

The Western Hemisphere offers a broad enough theater for the development of our national interest. To extend our commitments beyond that point would be to overreach ourselves. Within the Western Hemisphere there are adequate natural resources, with few exceptions, to supply the needs of the 130,000,000 citizens of the United States, the 37,000,000 Brazilians, the 10,000,000 Argentinians, and the rest of the approximately 230,000,000 people that make up the Pan American nations. There are facts and figures showing how well equipped this hemisphere is in natural resources. The only major shortage is rubber. And Brazil can produce adequate rubber supplies for the American nations if capital and improved technical methods, which are available in the United States, are introduced.

Militarily, the Western Hemisphere is a compact unit capable of comparatively easy defense against successful attack from outside nations. We don't need to follow in the train of Britain's interests in order to merit her support of our hemisphere against attack. We in the Western Hemisphere can do our own job.

The best evidence given by impartial military experts, and not by "crackpot" civilians, offers little encouragement to the belief that the Western Hemisphere is vulnerable to successful attack. Maj. Gen. Johnson Hagood says:

"Considered from a defensive standpoint, America is the strongest military Nation on earth—that is, it is the easiest Nation to prepare for defensive warfare. It would not take much to make it invulnerable against any nation or any combination of nations that could possibly be brought against it.

"The fashion of the day is to minimize the strategic strength of the two great oceans on our east and west and to discount the enormous difficulties that these trackless seas would impose upon our would-be invaders."

Hanson Baldwin, recognized as a military and naval expert, has gone so far as to say, even before we launched the big-navy program over a year ago, that the Army and Navy are "prepared to defend both coasts of the United States against simultaneous invasion, and at the same time to protect Hawaii, Panama, Alaska, and probably South America from any attacks that can reasonably be foreseen."

Admiral William S. Sims, commander of the American Fleet in European waters during the World War, said that the United States was safe from attack because "no foreign power or group of powers can operate across the ocean and stand in combat with the American Navy and planes operating from home bases."

These authorities and others base their belief in our safety from attack primarily on our geographical position. As Gen. Douglas MacArthur, formerly Chief of Staff of the American Army, puts it: "The protective value of isolation has time and time again been demonstrated in military history. No other operation in warfare is so difficult as that of transporting, supplying, and protecting an army committed to an overseas expedition."

Major Elliot, in his book *The Ramparts We Watch*, places the effective operating range of a modern fleet at "about 2,500 sea-miles at best, probably nearer 2,000 under war conditions." This estimate is supported by Maj. Gen. William C. Rivers, United States Army, retired, who says that "a modern warship is so tied to a base that it can operate but 2,500 miles away—then back to the base for fuel, supplies, and repairs."

On the possibility of air attacks against us, Major Elliot says: "The question of whether we shall within the foreseeable future be liable to air attack by direct flight across the oceans may be answered by a decided negative, as far as anything more than tip-and-run raids are concerned."

"Therefore, the maximum radius of action of 1,500 miles, which might be thought possible on the basis of the existing world's record, must be still further reduced in war. \* \* \* Planes which did not expect to return might raid our coasts, but no nation has enough long-range bombers and highly trained crews to waste them in enterprises of this nature, for which the military return is likely to be incommensurate with the results achieved, still less so with the loss of the whole attacking force."

The scare propaganda that the United States might be invaded successfully by an enemy is completely without foundation. I have not heard a single military or naval expert who subscribed to that belief. Our unusual geographic position, our excellent Navy, Army, and air force are, in fact, a protection the equal of which no other nation in the world possesses.

Economically, the nations of the South and the North American Continent are a complementary unit. South America is rich in opportunities. The interiors of such enormous countries as Brazil are waiting to be opened up and developed. Politically, we have much in common with our sister nations to the south. Many of them were born out of struggle against oppression. They are pioneer nations. I am quite aware that many of the South American republics are democracies in name only, but I believe that the will toward democratic practice exists, and that when the dissatisfaction growing out of poverty, out of the scramble for power that occurs in any nation in which there is not enough to go around, can be satisfied by increasing the prosperity of these countries democracy will develop. In helping this development the United States has both opportunities and responsibilities.

Culturally, the north and the south should be mutually stimulating. Out of our north European background and out of the Latin heritage of the nations to the south should emerge an exchange of ideas that will enrich the cultures of both. There is no question of our adopting a missionary attitude to bring light into the dark corners of South America. Our tradition has no deeper roots than theirs. They have much to offer us.



To summarize briefly, the nations of the Western Hemisphere together have a common destiny to work, a destiny that does not need to wait for its fulfillment on the vicissitudes of the British Empire. It is based on a realization that these nations have a common interest. From the point of view of natural resources, from the point of view of military, economic, political, and cultural considerations, their interests are joined.

With this desirable condition right at our doorstep, it is folly to give it second place in our thoughts and actions. We need to concentrate our energies on developing the potentialities of the Western Hemisphere, where our real interest lies.

Here is a task to challenge the best in every one of us. Here is a destiny to work out, a future to be built, not a past to be justified.

These considerations are important in our thinking as we move toward the day when the measure now before this Congress is decided. If the embargo on arms and ammunition is abandoned, that means we shall have taken a step to ignore the challenge of the Western Hemisphere and involve ourselves again in Europe. If we refuse to take any step toward involvement, we can resolutely set our face toward the Western Hemisphere, toward the New World. Here our real future lies.

Mr. BARKLEY. Mr. President, I desire at this time to renew the request I made on Saturday. All the Members of the Senate assure me that they are anxious to bring the discussion to a conclusion at the earliest possible date, and reach a vote on amendments and on the joint resolution. We are now entering the fourth week of debate, during which every Senator has had ample opportunity to express his views. We have not yet voted on a single amendment.

I think the whole country recognizes that the Senate has had ample opportunity to discuss the joint resolution, and I think there has been a reasonable disposition on both sides to bring about an accommodation in regard to the final disposition of the measure. I do not think anyone can reasonably complain that those of us who have espoused the cause of the resolution have sought in any way to hinder, handicap, or restrict the fullest sort of debate on it.

All Senators seem imbued with the desire to finish the consideration of the joint resolution and vote on it during the present week, and I certainly share that hope. To that end, I ask unanimous consent that beginning tomorrow no Senator shall speak more than once or longer than 1 hour on the joint resolution, or more than once or longer than 30 minutes on any amendment.

The PRESIDING OFFICER. Is there objection?

Mr. McNARY. Mr. President, in the first place, I should want to offer some suggestions as to a modification of the proposal made by the Senator from Kentucky. I think he should omit the provision that no Senator should speak more than once, in the application of the order to amendments and the joint resolution itself, so that a Senator might not speak more than an hour in toto.

Mr. BARKLEY. I have discussed that feature with a number of Senators, and one or two at least desire to offer amendments, and they fear that if they exhaust the 30 minutes, or whatever we agree on, in one speech, they might want a few minutes in which to reply to some other Senator, and I have no objection to that process.

I will modify the request in this respect, that beginning tomorrow no Senator shall speak in the aggregate more than 45 minutes on the joint resolution or in the aggregate more than 45 minutes on any amendment. That would still give an hour and a half, and it would permit a Senator to divide his speech, if he is advocating or is opposed to an amendment, into more than one speech on the subject.

Mr. McNARY. Mr. President, I have conferred again today with a number of Senators, and I find most of them in accord with the proposal now made by the Senator from Kentucky. I am advised by the able Senator from California [Mr. JOHNSON] that he desires to call a meeting of his group opposed to repeal for tomorrow, to consider the matter, and that he will not be ready to report on the proposal until the meeting of the Senate tomorrow. Therefore, at this time I must enter a second objection.

The PRESIDING OFFICER. Objection is heard.

Mr. BARKLEY. Mr. President, in view of the fact that the Senator from Missouri [Mr. CLARK] discussed at some length today the book written by Mr. Cherne, and the foreword written by Assistant Secretary of War Louis Johnson,

I ask unanimous consent that the foreword be inserted in the RECORD at this point.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

[From Adjusting Your Business to War, by Leo M. Cherne]

#### FOREWORD

The battlefield effort of modern war has become of itself a monstrous thing. The progress of science has created weapons which will require for their use or for defense against them the products of practically the whole of modern industry in quantities far exceeding their peacetime production. Truly, modern war has become not only a conflict of soldiers but of economic systems, and, other things being equal, the timely and effective mobilization of industry and control of economic resources will determine the final outcome.

The United States entered the World War with no plan for industrial mobilization. This condition produced competition among supply agencies, uneven distribution of the war load over industry, unnecessary delay in production, an unbalanced production program, unwarranted waste of Government funds, and finally a disarrangement of the economic structure. Among other things, this economic disarrangement brought about rapidly rising prices, food and fuel shortages, transportation congestion, labor unrest, and suffering and weakened morale among a large portion of the civilian population.

To overcome these difficulties Congress granted such increased powers to the war President as to place him in supreme control of the economic effort. The war President thereupon mobilized industry and resources and controlled this ponderous mass by super-agencies under his direction. These developments, in the absence of any predetermined plans, proceeded in what might be termed "a trial and error fashion." Action was taken as the necessity therefor arose, or as experience proved that a previous method was inadequate or impracticable. The war was nearly over before our national resources had finally been mobilized for an effective, if not wholly efficient, war effort.

Many valuable lessons may be drawn from the methods and organizations employed during the World War. The most important of these lessons are: (1) That an industrial mobilization plan is necessary for adequate preparedness for future wars; (2) that temporary Executive control and coordinating agencies must be set up to act for and under the President, with delegated war powers which expire with the close of the emergency. Such delegated war powers thus do not tend to perpetuate themselves as might be the case if such war powers were given by legislation to our existing peacetime Government agencies and departments.

Foreign powers, having learned similar lessons, have already adopted economic mobilization laws or regulations much more dictatorial or restrictive in their application.

Our industrial mobilization plan attempts to anticipate the World War difficulties in any future war and visualizes an orderly transition from a peace status to a maximum war effort, with the minimum disruption to our peacetime methods and procedure, and with post-war readjustment given careful consideration.

The need to inform the American business community of these plans and of the reason for their existence is apparent from the very extensiveness of the changes which war must of necessity impose upon private enterprise. The intelligent executive not only does his business a service but aids immeasurably the plans for national defense by understanding the adjustments business must make in the event of an emergency.

The Tax Research Institute, in publishing Leo M. Cherne's Adjusting Your Business to War, has effectively taken an important step forward for the welfare of the business community and, inseparably, for the furtherance of national defense.

LOUIS JOHNSON,  
Assistant Secretary of War.

Mr. BARKLEY. Mr. President, inasmuch as there has been a good deal of publicity given an address delivered by Assistant Secretary of War Louis Johnson on "Lessons from Poland," at White Sulphur Springs, W. Va., on October 10, and apparently some misunderstanding of the address, I ask unanimous consent that the address be printed in the RECORD.

The PRESIDING OFFICER. Is there objection? There being no objection it is so ordered.

Mr. JOHNSON of California. Mr. President, when I am in a common enterprise with other men, all directing their utmost energies in one direction, I feel they are all entitled to know what is to be done, and to know exactly what is before them. For that reason I said to the Senator from Oregon that I would call for tomorrow morning a meeting of all of the members of the group who constitute those opposed to the repeal of the arms embargo, and submit to them the exact situation. Although I have very little doubt about it, I do not know with certainty what their conclusion will be. I ask the Senator from Kentucky to have the

Senate meet at the usual time tomorrow, so as to give us an opportunity to have our meeting.

Mr. BARKLEY. Mr. President, I have no desire not to accommodate the Senator from California. I had understood that conferences had been in progress for the past 2 or 3 days on this subject. The Senator from Oregon assured me last Saturday that he thought there might be a chance to agree today, and I know the Senator from Oregon has made every possible effort to confer with all Senators interested in the subject. I have no desire to forestall the opportunity of the Senator from California to have a meeting of his group tomorrow morning.

Mr. JOHNSON of California. I want the group to meet at 11 o'clock, the Senate may meet at 12, and we can reply at once as to what the situation is.

Mr. BARKLEY. There are no committees holding meetings.

Mr. JOHNSON of California. I realize that.

Mr. BARKLEY. I do not see why the Senator's group could not meet at 10 o'clock.

Mr. JOHNSON of California. Because of what the Senator knows to be a fact, that it is not possible to get Senators together at 10 o'clock.

Mr. BARKLEY. Why not? Every other Government employee goes to work at 9, and all over this country men and women go to work at 8 o'clock. Why cannot Senators get to work at 10?

Mr. JOHNSON of California. Because they are all very busy men.

Mr. BARKLEY. Doing what?

Mr. JOHNSON of California. Working.

Mr. BARKLEY. The committees of the Senate have not held any hearings during the extraordinary session.

Mr. JOHNSON of California. Senators are working on their mail in their offices. I hope the Senator will see fit to have the Senate meet at 12 o'clock tomorrow instead of at 11.

Mr. BARKLEY. The Senator from California assures me that in his opinion we will really save time by permitting his group to meet and discuss this matter and try to reach an agreement, and of course I can rely on the Senator's good faith in the matter. I am therefore willing to move, at the conclusion of business today, that the Senate recess until 12 o'clock noon tomorrow. But I hope the Senator will call his group together and thresh this matter out and that he will return with an understanding into which we can enter.

Mr. JOHNSON of California. We are going to thresh it out; but each Senator is entitled to know what we are going to do, and to have a part in doing it.

Mr. BARKLEY. I have no objection to that, of course.

Mr. JOHNSON of California. Of course the Senator has not, and I have not, and I insist that opportunity shall be accorded.

Mr. BARKLEY. Very well.

Mr. HATCH. Mr. President, the Senator from Kentucky has just made a statement to the effect that no committees of the Senate are meeting. In that I think the Senator is in error. A committee under the able chairmanship of the Senator from Colorado [Mr. ADAMS] is meeting.

Mr. BARKLEY. The Committee on Appropriations?

Mr. HATCH. No; it is a committee investigating the wool industry, a special committee.

Mr. BARKLEY. I was not aware of that. The statement I made is true generally that the committees of the Senate are not meeting. If a special committee is holding meetings, that still would not be in disagreement to the statement that the committees generally are not meeting.

Mr. MINTON. Mr. President, this afternoon the very able and amiable Senator from Missouri [Mr. CLARK] and the distinguished and zealous Senator from North Dakota [Mr. NYE] have held forth at great length. The Senator from Missouri spoke about a bill that he was not against, and he was not criticizing.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. BARKLEY. I wish to say, and I do not say this in any spirit except to advise Senators, that unless we can tomorrow arrive at an understanding with respect to a limitation of debate, I hope Senators who have dinner engagements for tomorrow night will proceed to cancel them, because we will make an effort to hold the Senate later than the usual hour of adjournment.

Mr. MINTON. The Senator from Missouri, as I said before, was not against the bill, and neither did he criticize it. But he built up a horrendous picture of what would happen in this country if the measure were enacted. He thought the measure was a good one—perhaps that is not quite right—that the idea back of the measure was a good idea.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. CLARK of Missouri. I hope the Senator will not put words in my mouth. I know what the Senator is referring to.

Mr. MINTON. The Senator had an idea in mind with which he was not in disharmony at all, namely that the Government should go ahead and have some plans for its own defense, even in times of peace. But he built up a picture which frightened us all, even though we have had our nerves steeled against the coming of Halloween.

Last night we heard over the radio the deep, sonorous voice of the lion of the Rockies, the distinguished Senator from Idaho [Mr. BORAH], and the radio dripped with blood as he charged that we were taking the first step toward intervention. A horrible picture is being limned so as to frighten the people of the country. All afternoon here on the floor of the Senate we have seen this horrendous picture being painted. The Senator from North Dakota took two hours and a half, and reached only letter B in the alphabet; he took two hours and a half to demonstrate to the Senate what nobody disputed, that there was a munitions industry in this country. He painted a frightful picture of the terrible munitions industry, which he never charged, and no member of his committee ever charged, ever led this country into any war.

I assert now, and I challenge any Senator on the other side to dispute it, that never in the history of our country or in the history of any other country did the sale of munitions ever drag a country into war.

Oh, but we have before us a horrible picture. Ghosts and goblins and bogeymen are conjured up by the Senator from Missouri, by the Senator from North Dakota, and by the Senator from Idaho. They describe the horrible things that may occur if this, that, and the other happens, or if this is not done, and that is not done, and the other is not done. Horrible, terrible pictures are conjured up.

Mr. President, they remind me of the old maid down in southern Indiana. A friend came up to her as she was sitting beside a cistern weeping as if her heart would break. Her friend said, "Why, Mandy, what in the world are you crying so about?" "Oh," she said, "I was just thinking; suppose I was married and had a baby, and it fell into this cistern and drowned, wouldn't that be awful!" [Laughter.] So it is with the Senators who are conjuring up these frightful pictures here on the eve of Halloween.

The Senator from North Dakota said with much force and vehemence, "I will not be diverted from my proof that there is a munitions industry." Of course not. You could not divert him if you tried. He has been out proving it to the people of the country on every lecture platform throughout the country, at so much a demonstration—I do not know how much. I do not know how much Du Pont made on his investment in the munitions industry since 1935, but I dare say the Senator from North Dakota has made more from his lectures on munitions than Du Pont has made.

The Senator from North Dakota said that when the pages of history are written—ah, the pages of history—when they are written about this debate, thus and so would



be recorded. But I dare say that the historian, when he writes the history of this debate, will have a very difficult time following the peregrinations of the Senator from North Dakota. He has been on every side of the question since the question of arms embargo has been discussed in the Congress of the United States. Awhile ago in answer to a question by the Senator from West Virginia [Mr. Holt], the Senator from North Dakota said that he did not give a tinker's dam about London or Paris or Berlin. But I asked the Senator from North Dakota, How about Madrid? We have a neutrality law which contains provisions with reference to embargo, and the same embargo applied to Spain that now applies in the war which is going on across the water today. It is identically the same law, sponsored then by the Senator from North Dakota.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. CLARK of Missouri. The Senator from North Dakota is not present, but I am certain that the Senator from Indiana does not desire to misrepresent the circumstances. The act which applied to Spain was not part of the original Neutrality Act, and the Senator from North Dakota had nothing whatever to do with proposing it. As a matter of fact, I think he was the only Senator on the floor who raised an objection to it. It was brought forward on the first day of the session, after the civil war had already developed in Spain, and it was put through here under whip and spur on the first day of the session. The measure was introduced by the chairman of the Foreign Relations Committee, the Senator from Nevada [Mr. PITTMAN], with the understanding that it had been sent up from the State Department, and that it was necessary to adopt it on that day, due to the fact that a ship loaded for loyalist Spain was about to sail. I do not think it is fair to say that the Senator from North Dakota had anything to do with it, because I am very certain that he did not.

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. PITTMAN. I think the situation should be stated entirely correctly. The chairman of the Foreign Relations Committee did introduce the measure dealing exclusively with Spain by name, by reason of an emergency, as the State Department saw it. The Senator from Missouri on the floor objected to it being applied solely to Spain, and stated that it should have general application.

Mr. CLARK of Missouri. Mr. President, will the Senator yield to me for the purpose of asking a question?

Mr. MINTON. Yes; I yield.

Mr. CLARK of Missouri. I asked the question of the Senator from Nevada, why there was any reason for applying it to one country and not to all? The Senator will recall that I did not object to its consideration and did not vote against its adoption but did inquire of him why it should be applied to one particular country without regard to other countries. The Senator from Nevada, as I recall—not having read the RECORD lately—said that he agreed entirely with that proposal, and when the later amendment to the then existing Neutrality Act came in, the provision was extended to apply to civil wars in other countries—that is, in countries other than Spain. Is that not a correct statement?

Mr. PITTMAN. That is true. I stated at the time that it was to meet an emergency which we knew existed, but later on when we considered the 1937 act we incorporated in the act a provision applying not only to Spain but to all other countries.

Mr. CLARK of Missouri. That is true. I was in favor of that provision then, and I am in favor of it now.

Mr. PITTMAN. And it was supported by the Senator from Missouri.

Mr. CLARK of Missouri. There is no question about that.

Mr. PITTMAN. I wish the RECORD to show that.

Mr. CLARK of Missouri. But when the Senator from Indiana states that the Senator from North Dakota was one of the sponsors, I am certain he is mistaken.

Mr. PITTMAN. I think the RECORD will disclose that all Senators who at that time favored the embargo favored that provision in the joint resolution.

Mr. CLARK of Missouri. So far as I am concerned, I am entirely prepared to believe that. I think the amendment with regard to Spain passed the Senate without a dissenting vote, and the Senator from North Dakota was the only one who raised any question or objection with respect to it.

Mr. MINTON. Mr. President, so far as I can find, the RECORD does not reveal any objection on the part of the Senator from North Dakota. I think if we read the RECORD through we shall find that he claims credit for the Munitions Committee, of which the Senator from Missouri was a member with the Senator from North Dakota, for obtaining such embargo legislation as we have. The fact remains that the Congress of the United States in January and May of 1937 passed the joint resolutions which constitute the existing neutrality law. The Senator from North Dakota had from January until May to say something about it if he was not pleased; but, so far as I can find, the Senator from North Dakota did not have anything to say until May 2, 1938; and on May 2, 1938, the Senator from North Dakota—the same Senator who has been standing on the floor of the Senate during the debate on this joint resolution, and who has consumed about 6 hours of time in pointing out how the repeal of the embargo would lead us into war, how it would be the first step toward war, and all the other horrible things which would follow in its train—that same Senator, speaking about the same measure, and with the same embargo in mind, on May 2, 1938, wanted to lift the embargo on arms, ammunition, and implements of war which applied against Spain. He wanted to lift it as against Spain. He wanted to lift the same embargo which he now does not want to have lifted in the war which exists in Europe today.

He introduced in the Senate of the United States a joint resolution, to do what? To tighten the embargo? To keep the embargo as it then was, so that it would keep us from taking the first step toward war? Did he want to keep our hands clean? Did he want to keep the blood off our hands by having us refrain from this terrible business of dealing in munitions? Not at all. He wanted to lift the embargo and send munitions and implements of war into Spain—the same embargo to which we are referring today.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. MINTON. I yield to the Senator from New Mexico.

Mr. HATCH. Was there a war in progress in Spain at the time the joint resolution was introduced?

Mr. MINTON. Yes.

Mr. HATCH. Would it have been an unneutral act at that time to change the law?

Mr. MINTON. Yes.

Mr. CLARK of Missouri. Mr. President, will the Senator yield at that point?

Mr. MINTON. I yield.

Mr. CLARK of Missouri. Of course, the original joint resolution imposing the embargo was passed after the civil war had developed in Spain; and, as I understand, it was the contention of the Senator from North Dakota—it so happens that I was not in agreement with the Senator from North Dakota—

Mr. MINTON. We will get to the contention of the Senator from North Dakota.

Mr. CLARK of Missouri. It so happens that I was not in agreement with the Senator from North Dakota about lifting that embargo. However, in answer to what the Senator from New Mexico has said, it is a very poor analogy, because the embargo has been adopted after the civil war had developed in Spain.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. HATCH. The Senator from New Mexico was making no analogy. He was merely asking a question.

Mr. CONNALLY and Mr. NYE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Indiana yield, and if so, to whom?

Mr. MINTON. I yield to the Senator from Texas.

Mr. CONNALLY. Mr. President, in answer to the Senator from Missouri, I understand that the Senator from Indiana is about to give the interpretation of the Senator from North Dakota on his own action, rather than the interpretation the Senator from Missouri now seeks, nunc pro tunc, to put in the mouth of the Senator from North Dakota as of May 2, 1938. Is that not correct?

Mr. MINTON. Yes.

Mr. CLARK of Missouri. I was answering something suggested by the Senator from New Mexico [Mr. HATCH].

Mr. CONNALLY. I think it is well to take what the Senator from North Dakota said he meant, rather than what the Senator from Missouri now says he ought to have meant.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. CLARK of Missouri. I do not wish to delay the Senator from Indiana. However, the Senator from Texas evidently has been inattentive to what has been going on in the Senate, because the only suggestion I made as to what the Senator from North Dakota meant was in reply to the suggestion of the Senator from New Mexico that it would have been an act of unneutrality to change the law after the civil war had developed in Spain, when, as a matter of fact, the original joint resolution was passed after the civil war had developed.

Mr. HATCH. Mr. President, will the Senator yield for just a moment?

Mr. MINTON. I yield.

Mr. HATCH. I do not want to interrupt the Senator; but I do not want the Senator from Missouri to say that I have said that it would have been an act of unneutrality. I made no such statement as to the position of the Senator from North Dakota at that time. I make no such statement now as to the pending measure. I merely asked the question, because consistency sometimes is a virtue.

Mr. NYE. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. NYE. I have had the opportunity to hear only briefly the more recent remarks in the Senate. I did not intend to interrupt the Senator at this particular moment. However, I wish only that the RECORD be clear that we amended the existing neutrality law, including the arms embargo, to cover a civil war after civil war had come to Europe, with the civil war in Spain specifically in mind as the thing at which we were aiming. I wish the RECORD to show that fact.

I also wish the RECORD to be clear that on the date the Senate overwhelmingly—indeed, unanimously—passed the Spanish arms embargo only one voice in the Senate was raised in any degree of criticism or caution as to what was being done.

Let the RECORD further show that my effort to accomplish repeal of that action, which had made the embargo apply to the civil war in Spain, was made only after it had been demonstrated that once again our great European Allies had led us to the slaughter.

Mr. BARKLEY. Mr. President, will the Senator permit me to ask the Senator from North Dakota a question?

Mr. MINTON. I yield.

Mr. BARKLEY. The Senator from North Dakota opposed imposition of the embargo as to Spain, and then he sought to repeal it.

I hope this question will not be regarded as unfair. If it is, the Senator need not answer it. Was the Senator motivated in any way in either of those actions—his opposition to the embargo or his effort to lift it—by any sympathy he had one way or the other as to either side in the Spanish revolution?

Mr. NYE. Mr. President, I am glad to answer that question. I wish I could be more emphatic than I am able to be. Most definitely and emphatically, my action in connection with that issue was dictated in no degree by any sympathy I entertained with respect to one cause or the other involved in the Spanish revolution. My whole interest was

in consistency on the part of my own country, and an abandonment of the game of following and doing whatever England and France wanted done, only to see them running away from us after we had accepted the challenge and had gone along.

Mr. MINTON. Mr. President, it is getting late. I do not desire to detain the Senate, and I presume the best thing to do is to get along with what the Senator from North Dakota had to say when he introduced his joint resolution. He is the author of this joint resolution. Not any of the Members over here with "blood on their hands," not any of the Members over here who want to "take the first step," not any of the "interventionists" on this side of the aisle, are authors of this joint resolution to repeal the embargo as it applied to Spain. It is the same embargo, the same great neutrality law that the Senator now stands up and vehemently defends.

Mr. NYE. The Senator is not insisting that I was asking repeal of the arms embargo except as it related to its coverage of civil war, is he?

Mr. PEPPER. Mr. President, that was the only war in progress then; was it not?

Mr. MINTON. There may have been other wars elsewhere, but certainly that was the one the Senator had in mind.

Mr. NYE. That is not an answer to my question; and for the purpose of clarifying the RECORD I should like to have it answered.

Mr. MINTON. What is the Senator's question? Will he repeat it?

Mr. NYE. Is the Senator implying that by that joint resolution I was undertaking to repeal the arms embargo except with reference to its application to civil war?

Mr. MINTON. No; I do not think so.

Mr. NYE. I thank the Senator.

Mr. MINTON. I am now going to read the joint resolution of which the Senator was the author, and let it speak for itself. We can better understand, when we read the joint resolution, what the Senator had in mind, and why he wrote the joint resolution, and why he wanted it enacted, because he not only introduced the joint resolution but he made a short statement with it.

This is the joint resolution which he read into the RECORD:

Whereas the joint resolutions of the Congress dated January 8, 1937, and May 1, 1937, in whole or in part treated with civil wars; and

Whereas the invoking of these provisions of law had as their purpose a denying of aid through supplies to the end that civil strife might be more quickly ended and that the United States might avoid endangerment of its peace \* \* \* and—

The same purpose that they claim for the embargo now—that we should maintain the embargo now in order not to endanger our peace—

Whereas it is established that the purpose has not been served and that a situation exists as a result which is wholly contrary to long-standing policy and principle practiced by the United States—

The Senator from Texas [Mr. CONNALLY] did not make that statement. The Senator from Texas did not write that joint resolution. He has been fighting valiantly here today to lift the embargo, but he did not write that lifting resolution. The Senator from North Dakota wrote it. What did he mean by the "long-standing policy and principle practiced by the United States"?

Mr. NYE. Mr. President, is the Senator asking what the Senator from North Dakota meant by that?

Mr. MINTON. Yes.

Mr. NYE. The Senator from North Dakota meant that it had been the long-standing practice of the United States to keep hands off where civil war was involved, and in that instance we were not doing it.

Mr. MINTON. It has been the long-standing practice of this Government to keep its hands off ever since Thomas Jefferson's day, ever since George Washington's day, when he said there should be no entangling alliances. That has been the policy of this Government from its very inception. It is its policy down to today. There is nothing new about that. We never had the policy just to keep our fingers out of civil wars. As a matter of fact, we have horned into civil



wars more than into any other kind, down in South and Central America.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. MINTON. I yield to the Senator from Washington.

Mr. SCHWELLENBACH. I am very much interested in the statement of the Senator from North Dakota. He says it has been our policy to keep our hands off other controversies, and that we were not keeping our hands off in the Spanish controversy; that we had an arms embargo at that time. He has been arguing, and all the opponents of the pending measure have been arguing, that through an arms embargo we would be keeping our hands off other controversies; and I was very much interested in his statement that then we had to repeal the arms embargo in order to keep our hands off the controversy in Spain.

Mr. MINTON. I thank the Senator from Washington.

Mr. NYE. Mr. President, if I may make a remark—

Mr. MINTON. Yes; I yield.

Mr. NYE. The Senator is thoroughly confusing the issue as between war between nations and a civil war in a country in Europe.

Mr. MINTON. It does not make much difference to the fellow who gets stuck in the ribs with a bayonet whether it is in a civil war or a war between nations; it is war just the same.

Mr. PEPPER. Mr. President—

Mr. MINTON. I yield to the Senator from Florida.

Mr. PEPPER. I desire to ask the Senator if he thought it was altogether one of the usual types of civil war when it was pretty generally understood that Italy and Germany and Russia were taking direct advantage of it.

Mr. MINTON. Yes; I think the Senator from North Dakota realized that fact. I think he mentions it in some of his statements which I shall read later.

Mr. NYE. I hope the Senator will show that.

Mr. MINTON. The "long-standing policy and principle practiced by the United States." The Senator from North Dakota says that is not keeping our fingers out of other people's civil wars. Ah, Mr. President, I think the long-established policy and practice of the United States has been that under international law it was the right of a neutral to sell munitions and implements of warfare to anybody who wanted them and take them to the purchasers if we could get there with them. That has been the practice under international law, and that is the long-established principle and practice which has prevailed in this Government from its inception. We have claimed that right under the doctrine of the freedom of the seas ever since this country has had a government. We claimed the right to sail the seas, and claimed the right of a neutral in time of war to take our products wherever we pleased, and sell them wherever we could, and deliver them if we could, notwithstanding the action of any belligerent. However, we are going to recede somewhat from that position. But, Mr. President, that is the long-established principle and doctrine which I understand the Senator had in mind when he drafted the joint resolution. Otherwise, it does not make sense in the light of the history of our country.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MINTON. I yield to the Senator from Texas.

Mr. CONNALLY. Is the Senator from Indiana aware that the Senator from North Dakota, on the final vote on the joint resolution of 1937 against which he is now talking, voted for it, and that it carried forward and included the terms with regard to civil commotions and civil wars? That was in 1937. Then in 1938 he made the speech and introduced the joint resolution to which the Senator from Indiana has referred. I ask the Senator from Indiana if anywhere in the joint resolution or the speech of the Senator from North Dakota the claim is made that he was seeking to repeal the embargo because it was passed during the pendency of the Spanish War?

Mr. MINTON. Oh, no; not at all.

Mr. CONNALLY. There is no intimation of that kind?

Mr. MINTON. Let me say to the Senator from Texas that the Senator from North Dakota, in reply to a question which was asked him by me in the time of the Senator from Tennessee [Mr. McKellar] on October 20, 1939, said:

I shall reply in only a few words. The embargo against Spain was voted by the United States Congress after war came to Spain. Its repeal under those circumstances was quite different from the repeal which is now being asked.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. MINTON. I yield to the Senator from Kentucky.

Mr. BARKLEY. One of the reasons urged by the opponents or some of the opponents of repeal of the embargo now is that, aside from the question of neutrality, they do not desire arms shipped from the United States to be used in killing people.

Mr. MINTON. That is correct.

Mr. BARKLEY. In other words, they do not desire English or French to kill Germans with arms manufactured in this country; they do not desire Germans to kill French or English with arms manufactured in this country, or any other nationals to kill the nationals of any other nation. But am I to assume that the effort to repeal the Spanish embargo was based upon the assumption that it was all right for Spaniards to kill Spaniards?

Mr. MINTON. There was a special equity for Franco and his forces. In other words, the rule of clean hands did not apply. It certainly did not apply under the joint resolution drafted by the Senator from North Dakota.

I continue reading the joint resolution:

*Resolved, etc.,* That the joint resolution to prohibit the export of arms, ammunition, and implements of war from the United States to Spain, approved January 8, 1937, at 12:30 p. m., be, and the same is hereby, repealed.

The Senator from Nevada [Mr. PITTMAN] did not write that joint resolution. The Senator from Nevada was not writing a repealer back on May 2, 1938. That was written by the Senator from North Dakota [Mr. NYE], who now says that to repeal would be unneutral; not only unneutral, but intervention.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. MINTON. I yield to the Senator from Washington.

Mr. SCHWELLENBACH. In the light of disclaimer of responsibility for this state of civil strife arms embargo, I think it might be interesting to consider Senate bill 2370, introduced in the Seventy-fifth Congress, first session, by the Senator from North Dakota [Mr. NYE], the Senator from Missouri [Mr. CLARK], my colleague [Mr. BONE], and the Senator from Michigan [Mr. VANDENBERG], section 2 of which provided:

Whenever the President shall have issued a proclamation under the authority of section 1 of this act, it shall thereafter be unlawful, until such proclamation is revoked, for any American vessel to carry any arms, ammunition, or implements of war, or any other articles or materials whatever, to any belligerent state, or to any state wherein civil strife exists, named in such proclamation, or to any neutral state for transshipment to, or for the use of, any such belligerent state or any such state wherein civil strife exists.

That was offered on May 10, 1937.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. CLARK of Missouri. Since my name has been mentioned in this connection, let me say that the bill which the Senator from Washington has just read represented my views at that time; it has represented my views at all times since; and it represents my views today. When the State Department sent up a joint resolution to the Congress on the first day of the session to be put through under whip and spur, applying only to Spain, I could not see any reason why that principle should be adopted with regard to Spain respecting civil war, and not be adopted as to all countries in which civil wars might break out. I was for that bill at the time, and have been for it at all times since, and am for it now.

Mr. MINTON. Did not the Senator from Missouri vote for the joint resolution which was passed while war was going on in Spain?

Mr. CLARK of Missouri. I voted for the Neutrality Act.

Mr. MINTON. And when the provision was brought in to apply it to the civil war, the Senator voted for it?

Mr. CLARK of Missouri. Yes.

Mr. MINTON. And the war was going on?

Mr. CLARK of Missouri. That was a civil war—

Mr. MINTON. Oh, yes.

Mr. CLARK of Missouri. The Senator should have some understanding about propositions before he starts in to discuss them on the floor. The principle of embargo as to a civil war was an entirely separate and distinct proposition and had nothing whatever to do with the general principle of embargoing exportations of arms to belligerent countries. Nevertheless, when it was proposed it was adopted by unanimous consent in the Senate, and it was later made to apply to all countries in the future, with regard to civil wars, as well as wars between nations.

Mr. MINTON. If I have understood the argument of the Senator from Missouri and the Senator from North Dakota, and all the rest on the other side, an embargo is a thing which keeps you from "taking the first step to war." Nothing was said about civil war or war between nations. War is war.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. BYRNES. And it keeps you from selling those things which will make you responsible for "mass murder."

Mr. MINTON. Yes. I was just about to come to that.

Mr. CLARK of Missouri. If the Senator will yield, of course, the practice of the United States has always been, from time immemorial, not to permit the exportation of arms to an unrecognized government, and the proposition of the Senator from Nevada merely extended it a little further, and he even proposed our refusing to permit the sale of arms to a recognized government. It has nothing whatever to do with the principle of international law having to do with wars between two separate nations.

Mr. SCHWELLENBACH. Mr. President, will the Senator from Indiana yield?

Mr. MINTON. I yield.

Mr. SCHWELLENBACH. Recurring to my reading from Senate bill 2370, I did not have in mind any defense the Senator from Missouri might make for himself, or a defense so far as the Senator from North Dakota was concerned, but the Senator from North Dakota was not responsible for the civil strife resolution, and therefore he had a right to introduce the resolution repealing the embargo as against Spain. I read the extract to point out that about a year before the Senator from North Dakota presented a resolution to repeal the embargo against Spain, he joined three other Senators in introducing a bill which would provide for an embargo against Spain.

Mr. NYE and Mr. LEE addressed the chair.

The PRESIDING OFFICER. Does the Senator from Indiana yield, and if so, to whom?

Mr. MINTON. I yield to permit the Senator from North Dakota to reply.

Mr. NYE. Let me suggest at that point that at the time of the introduction of the bill to which the Senator from Washington refers there was no civil war in progress.

Mr. SCHWELLENBACH. In May 1937?

Mr. NYE. Did not the Senator say it was introduced before?

Mr. SCHWELLENBACH. No; in May 1937.

Mr. NYE. Very well. We had established at that time, as a policy, the inclusion of civil wars within the scope of the law that was called a neutrality law, and I am ready to leave in the law the provision as to civil war, so long as it is not applicable to civil wars which might be in progress at the moment the law was adopted.

Mr. SCHWELLENBACH. I should like to ask, What possibility of logic is there in making a distinction, so far as the removal of an embargo is concerned, between an embargo that was placed on after a war started and one that was

placed on before a war started? We have heard here for the last 3 weeks, "Oh, this is the first step toward war, because it is unneutral. We were notified Mr. Hitler would resent it; that was to be our position; and now we are changing our position in time of war." You change your position in time of war if you remove an embargo that was placed on after the war started just as much as if you remove an embargo that was placed on before the war started.

Mr. MINTON. Mr. President, I suppose that was just a little bit of a war over in Spain! Perhaps this is somewhat different.

Mr. LEE. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. LEE. Does the Senator think it would make any difference to the munitions makers, so far as the profits they receive are concerned, whether it were a civil war or a war between nations?

Mr. MINTON. I thank the Senator from Oklahoma. I am sure it would not make the least difference to the munitions makers whether they hold guns with which to shoot the boys down within the boundaries of their own country or to shoot them down across the border line of some other country. Of course, there might be a distinction in the mind of the Senator from North Dakota. He might hold that their hands were clean of blood if they sold the cannon and the shot and the shell and the airplanes with which to bomb people out of their homes in their own country, that there would be no blood upon their hands then, oh, no, but if they merely cross a line into some other country, and start bombing its people out of their homes, and running women and children into the cellars and murdering them from the sky, or in sinking vessels as they sail the seas, without warning, as was done in the case of the *Athenia*—that is a different thing. Then you get blood on your hands, then you are unclean. Then come into effect these great principles about which the Senator has been speaking.

Mr. President, let me proceed with this joint resolution:

And be it further

*Resolved*, That the President be and is hereby authorized to raise the embargo against the Government of Spain, provided that no goods or materials to which the embargo had been made effective and applicable shall be owned by citizens of the United States in whole or in part at the time of shipment or transported in American bottoms or ships flying the American flag from the United States or any part thereof or from any place within its jurisdiction to the country to which the embargo had been made effective and applicable or into the territorial waters of that country.

In other words, that is just the cash-and-carry provision. Then, in explanation of his joint resolution, the Senator said:

The enactment of this joint resolution would have the effect of altering the present situation as it relates to the embargo against the exportation of arms to Spain.

Altering it. Surely the Senator does not mean to tell me that it would be all right to alter the embargo with reference to Spain, with war going on in Spain, and would not be all right to alter it now. The Senator from North Dakota said, back in May 1938, that he wanted to alter it as to Spain, and later, even in January 1939, he wanted to alter it so far as Spain was concerned.

I am not prompted—

Said the Senator—

by the interest of either side involved in Spain.

Did we ever hear that before?

I am not prompted by the interest of either side involved in Spain.

How many times have we heard it said upon the floor by one side or the other "I am not prompted by the interest of France or Britain, I am not prompted by the interest of Hitler"? The Senator from Tennessee [Mr. STEWART] has said that he did not care who whipped Hitler. How many times, in the course of this debate, have we heard the same statement made as that made by the Senator from North Dakota about the embargo as it applies to the present European war, disclaiming any interest on either side, and stating



that he wanted it to be perfectly neutral, wanted it to work out just as it should, impartially and with neutrality, as I shall point out later in the Senator's remarks.

I am prompted only by a desire to right an injustice.

Right an injustice. What has neutrality to do with righting injustices? Have we not heard that before? I think I have heard the Senator from North Dakota say, and, if I have not, I will stand corrected; I know I have heard the Senator from Missouri say, have I not?—

Mr. CLARK of Missouri. I do not know to what the Senator is referring.

Mr. MINTON. "I am prompted only by a desire to right an injustice." The Senator from Missouri said we did not have anything whatever to do with righting injustice.

Mr. CLARK of Missouri. I did not say anything of the kind. I did say that I thought the interest of the United States was paramount to any other interest, and I was interested in the interest of the people of the United States first and last, and not interested in anybody else. The Senator can find what I said in a couple of places, but he cannot put words in my mouth.

Mr. MINTON. I do not want to do that. I would not want to do an injustice to the Senator from Missouri, for whom I have a deep regard, and more than that, a very great respect, because of his outstanding ability. I certainly would not misrepresent him. If he believes that it is not our business to right an injustice—

Mr. CLARK of Missouri. Mr. President, the Senator can look through many of my remarks and find a repetition of the view which I have expressed, which is that we should attend to our own business, stay on this side of the ocean, and keep out of other people's quarrels. If that is what he means by the paraphrase of what the Senator said, then I say, "All right."

Mr. MINTON. I think we could, without stretching a point, include the Senator in this category, and I am sure he would go along with the sentiment that we must not try to right an injustice. Why, that is the very essence of unneutrality. That is the very essence of partiality. That is what we have been told here for 4 weeks. Some of us here on this side could hardly get a chance to say a word edgewise by reason of the thunder that came from the other side. It was asserted that it was not our business to right an injustice; it was not our business to nose into the affairs of other governments; we should stay here and keep our nose out of other people's business.

I am prompted only by a desire to right an injustice growing out of the embargo program.

What embargo? The same embargo we are talking about now. Not a different one. The embargo applied to a war, just as the embargo applies now, and the Senator wanted to right an injustice resulting from the embargo in that war.

Mr. LEE. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. LEE. Perhaps the Senator was like the man holding a hot potato; he changed it back and forth from one hand to the other, and did not know whether to peel it or not peel it. [Laughter.]

Mr. MINTON. The Senator from North Dakota continued—

An injustice which reflects upon our country because of the departure from age-old principles.

I suppose that is the age-old principle that we should not interfere in a civil war. My interpretation is a little different, and the Senator will pardon me if I disagree with him as to what that departure relates to.

The Senator continued:

The resolutions by Congress dated January 8, 1937, and May 1, 1937, were requested by the administration at a time when it appeared that there might be accomplishment of an effective embargo against all exportation of arms to both sides in Spain. Obviously, this collective effort has failed. Not only has it failed, but the effort results in aid for one side as against another.

What do we care whether it fails? What do we care whether it affects one side or the other? We wanted to

be neutral, we wanted to keep our nose out of other people's business, we wanted to keep hands off. And here the Senator admits that this great embargo, this thing which keeps us from taking that first step, and from getting that blood upon our hands, failed.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. SCHWELLENBACH. Is it not in exact analogy with the argument the Senator from Nevada [Mr. PITTMAN] has made in the Chamber here in the last few weeks? I am familiar with the argument made by the Senator from North Dakota in favor of the repeal of the embargo. He argued that it was possible for the Franco forces in Spain to obtain munitions in this country because of the fact that they were being helped by Mussolini and by Hitler.

The Senator from Nevada made an analogous argument, that it is now possible for Germany to get munitions, while it is not possible for England and France to get them, because Germany can get them from Mussolini through Italy, and can get them through Russia, and other countries surrounding Germany. But when the Senator from Nevada says that we should make a change to right that unpleasant and unneutral position, then we hear the thundering voices say, "Oh, no; you cannot do that. That is unneutral." We must permit that injustice to continue, because if we attempt to do what the Senator from North Dakota claims we should have done some time ago in reference to Spain, it would be unneutral, and might cause us to get into the war.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. CLARK of Missouri. If the argument so eloquently and cogently made by the Senator from Washington as to the unneutral policy is good now, why was it not good when the Senator from North Dakota offered it in regard to Spain? Why did not the Senator from Washington and the Senator from Nevada agree with him then?

Mr. SCHWELLENBACH. Mr. President, if the Senator wants an answer to that question I will give him the answer. The answer is the answer I gave to those who wanted me to do what the Senator from North Dakota did. I said, "Go to those who foisted the mistake onto our policy. Hold it up to them. Let the Senator from North Dakota explain on the floor of the Senate and admit, as he will have to do if he introduces that resolution, that the arms embargo is a mistake. Let him stand up and admit that an arms embargo is a mistake and results in injustice." If the argument made by the Senator from North Dakota was good then it is good now. I do not agree with his argument made either time, so far as that is concerned.

The Senator from Missouri, the Senator from North Dakota, and others have been urging a theory on the Congress for the last several years. It is not consistent with that theory to pick out one particular place, and say that because we do not like the way the law is working in one place we will repeal it as to that place, but leave it so far as the rest of the world is concerned.

Mr. MINTON. Mr. President, the Senator from North Dakota says not only has the effort failed but the effort resulted in aiding one side as against another, and that neither neutrality nor nonintervention is accomplished.

That is what he said about this embargo. That is, the embargo as it applied in that war. But when it applies to the present situation it is an entirely different story.

The Senator continued:

It has been the recognized and accepted policy of the United States in regard to civil strife to proceed in keeping with the Habana Convention of 1928, ratified by our country on May 21, 1930, which declared a purpose—

"To prohibit the traffic of arms and war materials, except when it is destined to a Government, so long as the belligerency of the rebels has not been recognized, in which case the rules of neutrality shall be applied."

This language is found under the head of "Rights and duties of States in the event of civil war."

The purpose hoped of achievement by our act of last January 8, and again on May 1, has not been served. Instead, a result has developed that is partial to one side and against the side of a friendly and recognized government.

It could not have been the Senator from Texas who was making that very cogent argument, strange as it seems.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. CONNALLY. The Senator from North Dakota for some reason is absent. He was here a moment ago. I wonder if he could have anticipated what the Senator from Indiana was going to quote him as having said.

Mr. MINTON. Perhaps he is out hunting an answer to this position.

Our peace is jeopardized by the situation in Spain.

What? Does anyone mean to tell me that our peace could be jeopardized by something that happened across 3,000 miles of water? The peace of the United States? No one could destroy, no one could invade the peace of the United States if he tried.

Yet here the Senator from North Dakota is telling us that our peace is jeopardized by the situation in Spain only in the possible destruction of American ships. Then he discusses the question of cash and carry—

Mr. NYE. Mr. President, may the RECORD show that I am not absent?

Mr. MINTON. Yes. I am very glad the Senator has returned.

Mr. CONNALLY. Mr. President, I am sorry. I did not hear the Senator, and I thought he was absent.

Mr. MINTON. Mr. President, back in January 1939, when the Senator from North Dakota was interested in the situation in Spain and wanted to lift the embargo with reference to that war, he was making identically the same arguments which Senators have been making on the floor to lift the embargo with reference to the war now in progress.

The Senator from North Dakota received a great amount of mail with reference to his position about repealing the Spanish embargo, so he made a statement for the RECORD in order to have something to mail out in answer to the people who were writing to him. In that statement he said:

First of all let me say that I favor the lifting of the embargo. I proposed a resolution in the Senate to accomplish this. This proposal grew out of a desire by me to have my country adopt a consistent position and a position of greater neutrality in the Spanish situation than is that prevailing with the embargo in force.

In other words, the Senator wanted to get more neutrality, not less. How was he going to get more neutrality? He proposed to repeal the embargo. What embargo? The same embargo he now seeks to retain.

Mr. NYE. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. NYE. I have listened to a repetition of that statement for very nearly an hour. I have at no time asked for the repeal of the arms embargo as respects its relationship to war between nations. The repeal I was seeking was the repeal of an embargo respecting civil war, which was written while that civil war was in progress, not before and not after.

Mr. MINTON. I have read the statement of the Senator from North Dakota at the time he put the joint resolution in the RECORD, and I ask him to point out in that statement where he took that ground at that time.

Mr. NYE. Mr. President, I ask unanimous consent that at the end of the remarks of the Senator from Indiana, who has been taking great pleasure in chopping up the joint resolution and chopping up the argument which I presented in the RECORD on May 2, 1938, there may be presented in its entirety the statement as it appears on page 6030 of the RECORD of that date.

The PRESIDING OFFICER. Is there objection?

Mr. MINTON. Mr. President, I will accommodate the Senator even more than that. I ask unanimous consent that the statement and the joint resolution introduced by

the Senator from North Dakota, as of May 2, 1938, be inserted in the RECORD immediately following his speech of today.

The PRESIDING OFFICER. Is there objection to the request made by the Senator from North Dakota? The Chair hears none, and it is so ordered.

(See exhibit A.)

Mr. NYE. Mr. President, I hope it is not understood that the statement will appear twice.

Mr. MINTON. I will let the Senator take his choice.

The PRESIDING OFFICER. The Chair has not put the second request.

Mr. MINTON. I do not care where it comes. I will give the Senator from North Dakota his choice as to where it comes.

The PRESIDING OFFICER. Does the Senator from Indiana withdraw his unanimous-consent request?

Mr. MINTON. I do.

The PRESIDING OFFICER. The request is withdrawn.

Mr. CONNALLY. Mr. President, I wish to call to the attention of the Senator from Indiana the fact that the Senator from North Dakota stated earlier in the day, and now repeats, that his reason for wanting the embargo as to Spain repealed was because the embargo had been passed after the civil war began. That is what he now says; but what did he say on the 2d of May 1938?

He said then:

Instead, a result has developed that is partial to one side and against the side of a friendly and recognized government.

That was his view as to why it should be repealed in 1938. Let me ask the Senator again, is there anything in his speech on the 2d of May, 1938, which anywhere intimates that his reason for wanting repeal was because the embargo had been enacted after the Spanish war started?

Mr. MINTON. The only thing I can find is the first sentence in his statement:

The enactment of this joint resolution would have the effect of altering the present situation as it relates to the embargo against the exportation of arms to Spain.

That is the nearest approach I can find to it.

Mr. CONNALLY. I suggest to the Senator that that does not refer to the enactment of the original embargo against Spain. The Senator from North Dakota admits that his joint resolution, which would have repealed the embargo with reference to Spain, would alter the situation of the parties and was intended to alter the situation of the parties. The purpose of it was to alter the situation of the parties. Now he says that should not be done.

Mr. MINTON. He did it in the interest of his own country, and as he says in the RECORD of January 25, 1939, in the interest of greater neutrality in the Spanish situation. He said something else in the same statement. I should like to have the attention of the Senator from Texas to this excerpt from the statement of the Senator from North Dakota on January 25, 1939, when he was putting the statement in the RECORD to send out to people who had been writing to him. He said that the effect of the embargo as to Spain was that—

We might then be in the position of holding the arms of one side of Spain, while the other side dealt blows with outside help that they could get.

That is the reason why the Senator was against the embargo. It was holding the arms of somebody while somebody else outside got all the help he could to pummel the fellow whose arms were being held.

That is the same fine argument which the Senator from Texas made against this iniquitous embargo when the Senator from Texas pointed out that under the existing embargo and under existing law an aggressor nation could get all the supplies it wanted in time of peace, and could build up all the armaments it thought it might need against the day when it would declare war, and then it would pick out the day when war was to come, and have war upon that day. Then, under this iniquitous embargo, the fellow who was being attacked, and who was not armed to the teeth, could



not turn to us and obtain a single weapon for his own defense.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. BARKLEY. I understand that the argument was that under the conditions which existed, the Franco forces could obtain arms from Italy and Germany, and the Loyalist government could not obtain them from us.

Mr. MINTON. That is correct.

Mr. BARKLEY. Therefore, we ought to make it possible for them to obtain arms from us to offset those which the other side were obtaining from Italy and Germany.

Mr. MINTON. I will say to the Senator from Kentucky that I cannot put any other construction upon the argument because the Senator from North Dakota says that the embargo has the effect of holding somebody's arms while somebody else attacks him.

The statement could not refer to anybody who was being held except the Loyalist forces in Spain; and the fellow who was attacking them was Franco, with the help of Hitler and Mussolini. There the Loyalists were, with their arms pinned, fighting for the life of their nation, attacked by Hitler, Franco, and Mussolini; and the Senator from North Dakota wanted to go to their rescue because they were held, because their arms were pinned.

Mr. NYE. I wanted to go to the rescue and repeal a law which we had passed after that situation arose in Spain.

Mr. MINTON. The Senator did not say so then.

Mr. NYE. Oh, well, the Senator did not understand it.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. McKELLAR. I am not sure whether, in the request of the Senator from North Dakota to have his joint resolution and statement inserted in the RECORD, he included, on page 6030 of the RECORD of May 2, 1938, the remarks of the Senator from North Dakota immediately following the resolution, and extending to the bottom of the page. If he did not, Mr. President, if the Senator will permit me, I ask unanimous consent that the remarks of the Senator from North Dakota in the remainder of that column be included.

Mr. NYE. Mr. President, I am sure that was covered by my own request.

Mr. McKELLAR. If it was, very well; but I wanted to be certain to have that part put in the RECORD.

The PRESIDING OFFICER. The Chair holds that the matter referred to was covered in the request of the Senator from North Dakota.

Mr. McKELLAR. That is entirely satisfactory.

Mr. MINTON. So, Mr. President, whatever was in the heart of the Senator from North Dakota, what came from his lips is the RECORD as I have read it. I do not know what he held to his bosom as the real reason why he wanted to lift the embargo against Spain. I only know what he put in the RECORD; and, as I read the RECORD, the arguments he was making for lifting the embargo against Spain are the arguments that are being made here today for lifting the embargo. So the Senator from North Dakota was not only in favor of lifting the embargo in 1938; he was in favor of lifting it on January 22, 1939.

Senators will recall that the distinguished former Secretary of State, Mr. Stimson, had come out with a proposition to Secretary Hull and to the President of the United States that they lift the embargo.

By the way, when the Senator from North Dakota wanted the embargo lifted with reference to Spain, he took the position that the President of the United States himself had the right to lift it. He did not need any help from Congress. The President of the United States could do the job; and the Senator, by indirection, wanted to know why the President of the United States did not lift the embargo which the Congress of the United States had provided should go down upon Spain. So, I say, when Mr. Stimson came out advocating repeal of the Spanish embargo, the Senator from North Dakota [Mr. NYE] supported it.

I now read from the New York Times of January 23, 1939, an article headed:

NYE BACKS STIMSON ON SPANISH EMBARGO—SENATOR ALSO SAYS PRESIDENT HAS RIGHT TO AID LOYALISTS

WASHINGTON, January 22.—The letter of former Secretary of State Henry L. Stimson to Secretary of State Cordell Hull urging him to ask President Roosevelt to lift the Neutrality Act embargo against the Spanish Government was endorsed today by Senator GERALD P. NYE, of North Dakota.

The Women's International League for Peace and Freedom asked the President for an embargo against nations that are supplying munitions to the Spanish rebels.

Let me ask the Senator from North Dakota if the Women's International League for Peace and Freedom is Miss Dorothy Detzer's organization.

Mr. NYE. Is the Senator really making that inquiry for information?

Mr. MINTON. Yes. I do not know, and I thought probably the Senator would know.

Mr. NYE. I do not know whose organization it is; but the Women's International League for Peace and Freedom is the organization which Miss Dorothy Detzer has graced with her leadership for a great many years.

Mr. MINTON. It is the organization with which she is connected?

Mr. NYE. That is correct.

Mr. MINTON. She is the lady who took the credit for the organization of the Munitions Committee, the passage of the resolution, and all that sort of thing that led to the investigation of the munitions industry.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. MINTON. Yes; I yield.

Mr. CLARK of Missouri. I should simply like to add this statement about Miss Dorothy Detzer: She is also a lady who is very much opposed to war because she had a twin brother killed in the war.

Mr. MINTON. I sympathize with her. I saw a number of men "over there" who were killed in the war.

Mr. CLARK of Missouri. So did I.

Mr. MINTON. In fact, I think I can sympathize with anybody who has lost a dear one in war. My father was a war baby who never saw his soldier dad. I know what war is, and the pinch of war, and the poverty that follows war, because my soldier grandfather never came back from the Civil War, and left five little children, my father the youngest of the brood, a babe in arms who never saw his soldier dad. So I know something about the pinch of war, because poverty was the direct inheritance of the sacrifice my grandfather made upon the battlefields of this country. So I can sympathize with Dorothy Detzer, and I can sympathize with anybody else who knows about war.

Mr. LEE. Mr. President, will the Senator yield?

Mr. MINTON. Yes; I yield.

Mr. LEE. Did the Senator's father lose his life in the Civil War?

Mr. MINTON. No; my grandfather.

Mr. LEE. Was the loss softened at all by the fact that it was a civil war?

Mr. MINTON. Not at all; not at all. There coursed down the cheeks of the women of the North and the South the same tears that coursed down the cheeks of the women of England and France and Germany in a war across the water. Borders make no difference in the tragedy of war. Borders make no difference in the policy we should pursue in the question of our own peace and neutrality.

But it is getting late. Let me continue with what is said in this article in the New York Times:

Asserting that the matter was "not a partisan or a political issue," the Senator said he concurred in Mr. Stimson's belief that the President has a legal right to lift the embargo.

"Certainly," he added, "he has as much power to lift it as he has exercised in failing to place an embargo on the other two nations to the dispute, Italy and Germany," which continue to purchase arms in the United States.

Is that not like the argument we have heard here now about Italy and Russia?

Quoting the Senator further, this article says:

I have never noticed before that Mr. Roosevelt was timid about exercising his authority. But if the President feels the need of congressional support I should be glad to introduce once more a resolution authorizing him to lift the embargo against Spain.

That is the end of the quotation from the Senator from North Dakota. Then the article continues:

Most of the American people, Democrats and Republicans alike, the Senator said, appear to be convinced that Spain is the unfortunate battleground between democracy and dictatorship in a war not of her own choosing—

Mr. CONNALLY. Mr. President, will the Senator pardon me?

Mr. MINTON. I yield to the Senator from Texas.

Mr. CONNALLY. Is the Senator speaking now of the present war, or of the Spanish war?

Mr. MINTON. The Senator surely would not expect the Senator from North Dakota to be speaking thus about the present war.

Mr. CONNALLY. I did not hear from what the Senator was reading.

Mr. MINTON. He was speaking about the war in Spain at the first of the year 1939—

and one which would have collapsed months ago if Premier Benito Mussolini and Chancellor Adolf Hitler had withdrawn their troops and arms.

He said he had been informed that the latest offensive by Generalissimo Francisco Franco had been inspired by the necessity of producing immediate results or of facing a revolt of civilians behind his own lines.

The Senator from North Dakota wanted to intrude us into that situation. He wanted us to take that first step. Oh, there is no question about that—that first step! It has nothing written on it but war—war—the road to war—and yet he wanted us to take it! He wanted us to take it in May 1938, and he wanted us to take it in January 1939.

Mr. CONNALLY. Mr. President—

Mr. MINTON. I yield to the Senator from Texas.

Mr. CONNALLY. Did the Senator from North Dakota want to change the rules of the game after the game had started?

Mr. MINTON. The Senator from North Dakota is perfectly willing to change them when it is a game in which men are cutting out people's hearts inside the borders of their own country, but he does not want to change the rules if they go across the boundary line.

Mr. NYE. Mr. President, will the Senator yield?

Mr. MINTON. Yes; I yield.

Mr. NYE. What the Senator from North Dakota is ready and willing to do is to change the rules of the game that are prescribed after the game has started.

Mr. MINTON. I do not think it makes any difference whether the rules are changed after the game has started if the rules as changed do not discriminate against either side. If the rules are changed in the middle of the game, and the rules apply to both sides alike, it does not make any difference; but I do not think war is a game. I think it is a serious business, probably the most serious business in which human beings indulge.

The Senator from North Dakota wanted to get in there with aid from the United States before Franco won; but now he is wholly unconcerned about getting over there with any aid to England and France before Hitler wins.

Recalling that when he offered a resolution in May 1938 to lift the embargo the President and the State Department were convinced the government could not hold out another month, he added that press reports say it still may continue months more, even if Barcelona falls.

He said that though the administration apparently realizes its tragic mistake in opposing his resolution, there is still no intimation that it plans to do anything except express private sympathy.

In other words, the civil war in Spain could continue, as the Senator from North Dakota pointed out, with the Loyalists having their arms pinned back and unable to get any help while Franco was pummeling them to death. And the Senator chided the President of the United States

and the Congress of the United States because they had expressed only private sympathy. But now, in the consideration of this joint resolution, we hear nothing from the opposition except "don't even look with sympathy toward those people over there. It is their war. It is not our war. Stay out. Do not interfere. Do not intrude. Do not take that first step to war, and keep your hands clean from the blood of people killed with munitions."

Mr. LEE. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. LEE. It seems that some of the Senators are more disturbed over a preacher praying for England than they were over Hitler preying on Poland. [Laughter.]

Mr. MINTON. It all depends on how the word is spelled, I suppose.

Mr. President, I think I have quoted sufficiently from the record to demonstrate at least that the Senator from North Dakota should be on our side on the question of the repeal of the embargo, because substantially every argument that has been made on our side of the aisle, and by our friends on the other side of the aisle who agree with us for the repeal of the embargo applying to this war, was made by the Senator from North Dakota concerning the repeal of the embargo with reference to the Spanish situation.

On the record, Mr. President—and I am speaking only by the record; I will let the Senator plead otherwise here if he desires to now—speaking from the record, as I have said, the Senator from North Dakota was not thinking about the enactment of this law while war was going on in Spain. That is an afterthought, if I may so suggest; and the Senator from North Dakota today, in my judgment, finds himself in the inconsistent position of supporting the repeal of the embargo with reference to Spain, and refusing to support the repeal of it with reference to the existing war.

I leave the record as the Senator from North Dakota made it. It is his record, and he may extract such comfort from it as he can find.

#### EXHIBIT A

##### EXPORT OF MILITARY SUPPLIES TO SPAIN

Mr. NYE. Mr. President, earlier in the day I introduced Senate Joint Resolution 288, reading as follows:

"Whereas the joint resolutions of the Congress dated January 8, 1937, and May 1, 1937, in whole or in part treated with civil wars; and

"Whereas the invoking of these provisions of law had as their purpose a denying of aid through supplies to the end that civil strife might be more quickly ended and that the United States might avoid endangerment of its peace; and

"Whereas it is established that the purpose has not been served and that a situation exists as a result which is wholly contrary to long-standing policy and principle practiced by the United States: Therefore be it

"Resolved, etc., That the joint resolution to prohibit the export of arms, ammunition, and implements of war from the United States to Spain, approved January 8, 1937, at 12:30 p. m., be, and the same is hereby, repealed; and be it further

"Resolved, That the President be and is hereby authorized to raise the embargo against the Government of Spain, provided that no goods or materials to which the embargo had been made effective and applicable shall be owned by citizens of the United States in whole or in part at the time of shipment or transported in American bottoms or ships flying the American flag from the United States or any part thereof or from any place within its jurisdiction to the country to which the embargo had been made effective and applicable or into the territorial waters of that country."

The enactment of this joint resolution would have the effect of altering the present situation as it relates to the embargo against the exportation of arms to Spain.

I am not prompted by the interest of either side involved in Spain. I am prompted only by a desire to right an injustice growing out of the embargo program—an injustice which reflects upon our country because of the departure from age-old principles.

The resolutions by Congress dated January 8, 1937, and May 1, 1937, were requested by the administration at a time when it appeared that there might be accomplishment of an effective embargo against all exportation of arms to both sides in Spain. Obviously, this collective effort has failed. Not only has it failed, but the effort results in aid for one side as against another, and neither neutrality nor nonintervention is accomplished.

It has been the recognized and accepted policy of the United States in regard to civil strife to proceed in keeping with the Habana Convention of 1928, ratified by our country on May 21, 1930, which declared a purpose "to prohibit the traffic of arms and



war materials, except when it is destined to a government, so long as the belligerency of the rebels has not been recognized, in which case the rules of neutrality shall be applied."

This language is found under the head of "Rights and Duties of States in the Event of Civil War."

The purpose hoped of achievement by our act of last January 8, and again on May 1, has not been served. Instead, a result has developed that is partial to one side and against the side of a friendly and recognized government. Our peace is jeopardized by the situation in Spain only in the possible destruction of American ships and goods in foreign bottoms. Our security is to be found in the provision of the joint resolution I have introduced, which would require that American ships refrain from participating in this traffic.

I hope the joint resolution will receive at the hands of the Committee on Foreign Relations the earnest consideration to which I feel sure it is entitled and that it will be enacted. Incidentally, I desire to remark that there are many Members of the Senate who entertain views in harmony with those expressed by the joint resolution itself.

Mr. BARKLEY obtained the floor.

Mr. HOLT. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. HOLT. Since we have started to discuss inconsistencies, I should like to have inserted in the RECORD at this point a request by me that there be printed in the RECORD a statement of the inconsistency of United States Senators on the arms embargo.

Mr. SCHWELLENBACH. Reserving the right to object, I should like to inquire just what the request is.

Mr. HOLT. I may find some inconsistencies on the part of the Senator from Washington. I do know as to many of the others.

Mr. SCHWELLENBACH. I concede that; but I did not quite understand the request.

Mr. HOLT. I have asked that at this point in the RECORD it be shown that I ask for unanimous consent to place in the Appendix of the RECORD a list of the inconsistencies of Members of the United States Senate between their positions on the embargo when it was passed and up to this time, and their positions in the present debate.

Mr. CONNALLY. Mr. President, if the Senator wants to print in the RECORD the official roll calls on all these matters, I have no objection, but if he is going to print someone else's construction as to who has been inconsistent, and so forth, and so on, I would object, unless someone can look it over. So far as I am concerned, I have admitted on the floor many times that I make many mistakes. When I voted for the embargo I made a mistake, and I have been sorry for it ever since. If changing my position on that question is evidence of inconsistency, God help me that I may be guilty of some more similar inconsistencies in the future.

Mr. HOLT. I desire to say that I can quote the Senator as late as May 1939 on this list. All I ask is to put in the RECORD the Senator's words, and let the people be the judge.

Mr. BARKLEY. Is the Senator asking that he extend in the RECORD his own remarks?

Mr. HOLT. Oh, no; all I ask is to put in parallel columns statements of Senators on the embargo in the past, and their statements in the present debate. That is all I ask.

Mr. BARKLEY. Has the compendium been made up?

Mr. HOLT. It is being made up; and it is very interesting, I may say to the Senator from Kentucky.

Mr. BARKLEY. I am not concerned in how interesting it may be, but as to whether the Senator is asking the Senate to violate its rule, which has heretofore prevented a Senator from extending his own remarks in the RECORD in the same fashion in which remarks are extended in the RECORD in the other House.

Mr. HOLT. No; I ask only that at this point I be shown as making the request, and then I will extend the matter in the RECORD.

Mr. BARKLEY. In today's RECORD?

Mr. HOLT. No; I have not compiled it.

Mr. BARKLEY. I think the Senator should wait until it is compiled.

Mr. HOLT. But I want to show that I made the request at this particular time, since we are discussing consistency.

Mr. BARKLEY. We may have other occasions to discuss that before we conclude the debate.

Mr. HOLT. If the Senator objects, I want the RECORD to show that, and if there is any objection, I will read the matter into the RECORD.

Mr. BARKLEY. I understand the Senator can do that, but what I am trying to get clear is the fact that the Senator is asking that in some future RECORD he may be permitted to insert a compendium which he is preparing with respect to consistency or inconsistency of Senators, and I say that it is better practice, and has always been the practice, when the RECORD is being made up during the sessions of the Senate, for a Senator to ask that he be allowed to put matter in and not get a blank check for inserting something in the RECORD in the future before final adjournment of the Congress is taken, which seems to be the gist of the Senator's request.

Mr. HOLT. No; the Senator from West Virginia merely requests that at this point—

The PRESIDING OFFICER. The Chair suggests that a request affecting the consistency or inconsistency of Senators should not be passed on in the absence of the senior Senator from Arizona [Mr. ASHURST]. [Laughter.]

Is there objection to the request of the Senator from West Virginia?

Mr. CONNALLY. Mr. President, for the present I object, until we see what the matter proposed to be inserted may be. If the Senator from West Virginia desires to read it into the RECORD, that will be fine; we will then know who made it up and who is responsible for it.

Mr. HATCH. It might be better to do it in that way; and then if a Senator present is quoted, he can answer.

Mr. CONNALLY. Exactly. I do not want to consent to the insertion of something which is not yet made up, which is palpably and on its face prepared for the purpose of reflecting on Senators. I do not care what the Senator puts into the RECORD about me, because I have not discussed any of the prior embargo acts. I have discussed the pending law, and I very frankly have stated that I voted in the wrong way when I voted for it. But I do not propose to have some ghost writer, or some expert, or somebody else, reflect on Senators in a statement when we do not know what language is contained in the statement, until it is brought here and someone can look at it. If the Senator from West Virginia desires to read it into the RECORD, that will be fine. He will then sponsor it, he will be the author, and other Senators can challenge it if they see fit to do so.

Mr. HOLT. No ghost writer writes my speeches. I realize that the Senator from Texas naturally would think so. So far as my speeches are concerned, they are my own. That is why they are so poor. I do not have to go to Charley Michelson to have my speeches written.

Mr. CONNALLY. I do not think Charley would write one for the Senator if he did. [Laughter.]

The PRESIDING OFFICER. Objection is heard.

Mr. HOLT. If Charley Michelson should write one for me I would not deliver it as my own, as some other Senators on the floor do here today.

Mr. CONNALLY. Mr. President, that is a sample of the insinuation I am trying to keep out of the RECORD. The Senator from West Virginia is perfectly willing to besmear all Senators on the theory that Mr. Michelson writes their speeches.

Mr. HOLT. Does the Senator deny it?

Mr. CONNALLY. I do not know anything about it. He never wrote one for me.

Mr. BARKLEY. Mr. President, I do not yield any further for the purpose of having a controversy started.

Mr. CONNALLY. I wish to say that Mr. Michelson has never written a speech for me. I dare say I would have made much better speeches if he had. I never heard of any other Senator for whom he did write a speech. If the Senator from West Virginia knows—he seems to know—that is his business, but I do not think it is fair to Senators to make a blanket charge like that when they are not here and cannot deny it.

I did not say any ghost writer wrote the speeches of the Senator, but I presume some ghost writer is getting up this information, because the Senator says it is not yet completed, and I assume that if he were going to do it, he would just rise and make the statement without any preparation, or anything of the kind.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. MINTON. I should like to say to the Senator from West Virginia before I ask to have certain matter placed in the Appendix of the RECORD that I am one of those who spoke today, and I do not think it would be doing Mr. Michelson justice to say that he wrote the speech I made. I can assure Senators that he never wrote that one, nor did he ever write one for me or furnish me any material for one.

Mr. WILEY. Mr. President, I had the good fortune to make a speech on the floor of the Senate today, and if the distinguished gentleman who they say writes speeches for the administration will say that he wrote my speech I might be very happy. But I do not have the benefit of his acquaintance. So I think that leaves the Senator from North Dakota [Mr. NYE] and the Senator from Missouri [Mr. CLARK] as the only remaining Senators who spoke at length in the Senate today.

We might as well get it cleared up. I ask the Senator from Missouri [Mr. CLARK], Did Mr. Michelson write the Senator's speech?

#### RECESS

Mr. BARKLEY. Mr. President, in order to terminate this ghost writing experience meeting, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 42 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, October 24, 1939, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES

MONDAY, OCTOBER 23, 1939

The House met at 12 o'clock noon.

Rabbi Isaac Landman, of the Eighth Avenue Temple, Brooklyn, N. Y., offered the following prayer:

Heavenly Father, we invoke Thy blessing upon our country and upon this House, representatives of the will of our citizenry. Prosper our Nation, O Lord, in all its industries and its commerce, on land and on sea, so that there may be no want or scarcity. Grant that they whom the people have placed in authority may be filled with Thy spirit, the spirit of wisdom and understanding, the spirit of knowledge and the fear of Thee. May Thy blessing rest upon our free institutions, that our beloved land may remain forever the home of liberty. May good will obtain among all its inhabitants and peace dwell within its borders. Guide us and help us, O Lord, to make our country a stronghold of peace, and the advocate of peace in the counsels of nations; and vouchsafe, O Heavenly Father, that the spirit of religion pervade our every home, so that America may be exalted in righteousness. Amen.

The Journal of the proceedings of Friday, October 20, 1939, was read and approved.

#### THE LATE FRED S. PURNELL

The SPEAKER. The Chair recognizes the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, it is with deep sorrow that I arise to announce the death on last Saturday, October 21, of a former distinguished Member of this body, the Honorable Fred S. Purnell, of Indiana.

Fred Purnell, then a young man 35 years of age, came to Congress in 1917 as the representative of the old Ninth Indiana District. His first service was in the Sixty-fifth or war Congress. For 16 of the best years of his life he served his district and his State and Nation with honor and distinction. That he became ranking Republican member on the Rules Committee and second ranking Republican

member of the Committee on Agriculture, is evidence of his high standing and influential position in the Halls of Congress.

Those who knew Fred Purnell personally will best remember him for his fine congeniality and affable disposition which, together with his unceasing diligence and great ability, earned for him the sincere respect of his colleagues. His was the sort of service which is typical of the best of representative government. His was a service which any young man coming to Congress may well emulate. With such service the future of representative democracy is assured.

The country can ill afford to lose such a loyal and patriotic citizen as was Fred Purnell. His passing is a distinct loss to his State and Nation.

The SPEAKER. The Chair recognizes the gentleman from Indiana [Mr. LUDLOW].

Mr. LUDLOW. Mr. Speaker, as the senior member of the Indiana congressional delegation in point of service, whose privilege it was to be associated with Mr. Purnell in Congress, I appreciate this opportunity to pay a humble tribute to his memory.

As my colleague has announced, Fred Sampson Purnell, Representative from Indiana for seven terms, beginning with the Sixty-fifth Congress and ending with the Seventy-second Congress, passed away at Walter Reed Hospital Saturday afternoon after a lingering illness of 2 years, which took an acute form about a week ago.

Many Members still serving in the House and Senate will remember him with endearing recollections, as he was a general favorite in the national lawmaking body on account of his sterling character and his warm, ingratiating personality. Enemies he had none, and there were no party lines in his friendships. His genial, sunny nature, his bon homme qualities, and his keen sense of humor made him the life of every party that was graced with his presence. One of his old friends, speaking of him yesterday, paid him the beautiful tribute of saying: "All through his life he scattered sunshine." He had an amazing faculty for making friends. As a raconteur this body never had his superior. Not even Thomas Brackett Reed, James E. Watson, "Uncle Joe" Cannon, or John Sharp Williams eclipsed him as a story teller, and his comments about persons and things were free from rancor and without any tinge of malice. He was an accomplished speaker, and in his younger days had been a very good amateur actor. His widow and two sons, Samuel and Fritz, survive him. The Purnell home at Attica, Ind., was famous as a center of gracious friendliness where Hoosier hospitality flourished at its best.

It seems only a little while since Fred Purnell was a forceful and dramatic figure on this stage of action. When I first came here as a Member in the Seventy-first Congress the party to which Mr. Purnell belonged was in control, and he was one of the outstanding leaders of the House, constantly on the firing line and playing a heavy role in its deliberations. The field of his activities included the Rules Committee, the Committee on Agriculture, and the steering committee, which arranged the House program. He was third on the Committee on Rules, with Bert Snell, of New York, as chairman, and was the ranking member of the Committee on Agriculture. In the Seventy-second Congress, with control having switched to the Democrats, he became ranking minority member of the Rules Committee and had as associates on that committee five gentlemen who are still Members of the House: Mr. Speaker BANKHEAD; the gentleman from Illinois [Mr. SABATH]; the gentleman from Georgia [Mr. COX]; the gentleman from Michigan [Mr. MICHENER]; and the gentleman from Massachusetts [Mr. MARTIN]. He had a brilliant and active mind, which was quick to seize legitimate party advantage, but with no trace of unfairness toward his adversaries. It was on the Committee on Agriculture that his talents shone most luminously. Born on a farm, he carved out for himself a successful career in the law, but he never got far away from the tang of the soil. He was a deep student of agricultural problems and was the author of considerable agricultural legislation, including the law now on the statute books under